Records Management Handbook for United States Senators and Their Repositories

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Foreword

In its 1978 report to Congress, the National Study Commission on Records and Documents of Federal Officials recommended that the office files and personal papers of members of Congress be legally designated as federal records with guaranteed public access after fifteen years. Although Congress did not adopt that specific recommendation, the Senate decided to explore the matter in greater depth by sponsoring, in September 1978, a two-day Conference on the Research Use and Disposition of Senators' Papers. Designed to answer the question, "Who uses senators' papers and why?" the meeting attracted 250 historians, archivists, and congressional staff aides. The result was an unprecedented exchange of information on this increasingly troublesome and rapidly expanding category of public records. Senate staff were greatly surprised to learn of the importance to historians of preliminary drafts of legislation and internal staff memoranda. Historians, on the other hand, expressed amazement over the environment in which these records spawned and they appeared to develop greater sympathy for the archivists' plight of trying to contain the growing flood of congressional materials. At its conclusion, the conference issued a unanimous recommendation that work begin on a handbook for members on the effective management of senatorial papers. Considerable conference discussion on the implications of automation underscored the urgency of devising standards to accommodate and harness the proliferation of machine readable data.

This handbook is a direct result of the 1978 conference. It represents an application of modern records management techniques to the unique problems of congressional offices. Preliminary drafts were circulated for comment to selected Senate office managers, specialists within the National Archives, and custodians of senators' papers in repositories across the Nation. Handbook author Karen Paul conducted two seminars for office managers. At each of these sessions, participants carefully evaluated and, where necessary, offered revisions to reflect current office administrative practice. The chapter on automation owes its existence to determined collaboration between Karen Paul and Liz McAlhany in the Senate Computer Center and the section on tax considerations when donating a collection of papers was contributed by Morgan Frankel of the Senate Legal Counsel's office.

Particular thanks is due to Karen Paul, the Senate's Archivist. She began work on this project while on detail to the Senate from the National Archives. When the enormity of the task became fully apparent, she agreed to join the staff of the Secretary of the Senate to provide full time archival assistance for members and committees of the Senate. Special appreciation is also due to Elizabeth Ann Hornyak for supervising the handbook's design and production. Users with specific comments or questions should call the Senate Historical Office at (202) 224-6900.

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FILES OF PERMANENT HISTORICAL VALUE

While each member's office is unique in terms of staffing patterns, constituent needs, staff preferences and level of experience, and the volume of correspondence received, all offices generally perform the same types of functions. The following types of basic files, listed according to the function they serve, should be retained permanently, either in their totality or a sample, depending on the file, for eventual deposit in a research repository.

PERSONAL FILES

Appointment Books
Desk Calendars
Daily Schedules
Personal Correspondence
Memos of Telephone Conversations
Campaign Files
Diaries
Biographical Files
Financial Disclosure Reports
Accepted Invitations
VIP Appointments, Judgeships

LEGISLATIVE FILES

VIP Correspondence
"Bill" Files
Committee Files
Legislative Assistant's Files
Briefing Books
Voting and Attendance Records
Congressional Record Inserts
Staff Project Files

ADMINISTRATIVE FILES

Administrative Assistant's Files
"Issue Mail" and Indexes
CMS Master Library
Grants/Projects and Indexes

PRESS RELATIONS

Speeches
Press Releases
Newsletters
Specialized Mailings
Opinion Editorials
Columns
Newspaper Clippings
TV and Radio Files
Photographs

OFFICE MANAGEMENT FILES

Office Policy Memos
List of Current and Former Staff
Office File Manual

EXECUTIVE SUMMARY

Records Management: The Senator's Decision

Unlike the President of the United States and executive branch officials whose records are federal property, United States Senators personally own and control the records created and maintained within their own offices. Because of the private status of these records, *members must each act individually* to establish office regulations and procedures that will ensure the preservation of historically valuable documents which all congressional offices inevitably accumulate.

Senatorial collections can be rich sources for the study of local history, regional issues, national affairs, political science theory, foreign affairs, and public policy. Because senators own these historical records, they alone are responsible for their care and preservation. If future generations are to benefit from these valuable research sources, each senator must make every effort to prevent their inadvertent destruction or loss.

Timing Of This Decision

Ideally members should choose to establish an office policy at the time of their election to the Senate, before subsequent activities limit the opportunity for careful records preservation planning. *For offices without such regulations,* senators should consider issuing a policy statement immediately to prevent depletion of their historically valuable permanent collections.

The Office Policy Memo And Why Every Office Needs One

Without such a policy, most administrative assistants, legislative assistants, and office managers are likely to overlook the need for a comprehensive, efficient management system that includes, as a natural by-product, the identification and preservation of historically valuable documents and files. More importantly, they will lack the explicit authority to implement such a system. The member's brief statement should:

☐ Stress the importance of records management in the office

☐ Authorize the implementation of a records management plan that sets up a smooth filing routine

☐ Define and clarify ownership of office records, emphasizing that records created and maintained as a result of work performed by individual staff working for the senator are the property of the senator, and as such will be retained as part of the senatorial papers collection

☐ Authorize staff, who so wish, to make either electrostatic or microfilm *copies* of their files to take with them when they leave the senator's employ

☐ Identify permanently valuable files and instruct that they be filed separately from transitory material

Management of Automated Records

Automated records represent an increasingly important part of the materials created and maintained by senators' offices. Because such records are stored in a form that is easy to modify and update, they are sometimes mistakenly considered to have temporary or transitory value. On the contrary, certain information stored on these systems will have permanent value for the office and for future research. It is the responsibility of the office manager to identify this information and ensure that it is either systematically printed out and filed, or transferred to computer output microfilm for inclusion with the member's permanent collection. Storage on nine-track tape in fixed format is another option, as soon as it becomes available.

Every office using automated systems should compile written guidelines *before the system is operational,* or as soon after as possible, and include:

☐ instructions for compiling an inventory of automated files and information

☐ a list of subject (index) terms to be used for indexing documents entered

☐ documentation to be saved with each automated record

☐ disposition statement for each information file

☐ guidelines for deleting and reusing the magnetic media

☐ physical maintenance requirements

Office automation requires careful records management planning. Senators who have recognized and accepted this responsibility are creating historically rich collections. By so doing, they are contributing in a unique and lasting way to our Nation's heritage.

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Chapter I:
Introduction

PURPOSE

Managing records is an important responsibility of each senator's office and this responsibility is usually delegated to the administrative assistant and office manager. Correspondence, memos, reports, press releases, appointment calendars, and many additional kinds of records, including automated indexes and computer generated reports are basic administrative tools by which the work of a senator's office is accomplished. While almost everyone in a senator's office has some degree of responsibility for maintaining files, it is important that one individual be assigned responsibility for the overall supervision of files management.

The quality of files creation, maintenance, and disposition in an individual office can influence a member's legislative effectiveness, responsiveness to constituent needs, and ability to be reelected. In addition, a senator's contributions and career can be properly documented and assessed only through an evaluation of the historical record he or she leaves behind. Such a record is contained not merely in the printed word found in the *Congressional Record,* hearing transcripts, and news articles, but also is found in the unique documents comprising a senator's personal papers and office archives. The value of a senator's papers extends beyond current office administrative needs and constitutes a fundamental source for the study of America's past.

On a practical level, a carefully designed records program will benefit staff in numerous ways. Not only will information be made more accessible in current files, it will become easier to retrieve information and documents from older files. This especially is important when legislative issues become active again after having been dormant for a Congress; or when a senator suddenly needs to consult a particular memo written a year or so earlier.

For these reasons, the Senate Historical Office, under the direction of the Secretary of the Senate, has assembled this handbook on office filing, files maintenance, and records disposition. Administrative assistants and office managers should view the filing guidelines as a model files plan, and use them to establish file series appropriate to the work and organizational structure of their individual offices. They should keep in mind that if the member and senior staff do not give early consideration to the continued maintenance and ultimate disposition of the member's papers, it is likely that office efficiency will suffer, that staff time will be wasted in searches for information that should be readily available, and that the historical record will be impoverished.

BASIC OBJECTIVES OF FILES MANAGEMENT

Efficient management of senatorial office records has four main objectives:

☐ Establishment of an office files policy.

☐ Creation of well-defined office files that are arranged in efficient and logical filing sequences and are free of unneeded papers.

☐ Timely and systematic removal of transitory records, either for later destruction, microfilming, or sampling.

☐ Designation and control of permanently valuable historical records.

FILES MANAGEMENT POLICY

To establish an effective records program, it is important for the senator to issue an office files policy memorandum. Such a memo should:

☐ Stress the importance of records management in the office.

☐ Authorize the implementation of a records management plan.

☐ Define and clarify ownership of office records, emphasizing that records created and maintained as a result of work performed by individual staff working for the senator are the property of the senator, and as such, will be retained as part of the senatorial papers collection.

☐ Authorize staff who so wish to make either electrostatic or microfilm *copies* of their files, to take with them when they leave the senator's employ.

FILES MANAGEMENT PLANS

The charts in Chapter II detail the variety of file series maintained in senators' offices, and they may be used to draft an office records plan. The series are listed according to the type of functions routinely performed. These functions are described in detail in the United States Senate *Congressional Handbook* and include the senator's personal business, legislative work, administrative, press, and office management. Under each function is a list of the types of file series usually set up by individuals in charge of performing the related duties.

Despite the fact that all members' offices generally create and accumulate the same types of records, there is no one overall system of filing that is "right" for all senatorial offices. Members' interests vary as do office staffing patterns, constituent needs, staff preferences and level of experience, and volume of correspondence received in the office. Each administrative assistant and office manager, therefore, should select from the lists those file series, or adaptations thereof, which best fit conditions in his or her office.

When the types of series have been selected, the office supervisor should assign responsibility for upkeep and maintenance of each file to the individual charged with performing that duty. In this way, even though personnel, and staffing patterns, may change over time, the files should remain fairly uniform and constant. They should continue to be accessible to all who need to search them.

The charts are meant to be used as a blueprint for building office files that are useful and efficient for those who consult them daily and for those who must oversee their disposition on a periodic basis. As such, they also provide information on the typical contents of each type of file series, a suggested arrangement pattern, whether or not the series is a permanently valuable record, and suggested disposition. All of the record series have been designed to segregate permanently valuable historical material from records with only short-term value and use.

RECORDS MANAGEMENT AND STATE OFFICES

It is important for Washington, DC office staff to coordinate records management activities with state offices. This is especially true when state offices perform a substantial amount of casework or reply to large amounts of constitutent mail. Points to consider include:

☐ A senator's Washington office should provide state field offices with guidance on the management and disposition of their files. An archivist at the Senate Historical Office is available for consultation in this matter.

☐ The Washington office file plan should be coordinated with a field office plan. This can be facilitated by using the charts in Chapter II, and assigning the maintenance of certain types of files to the field office.

☐ Field offices should annotate any basic plan received from the main office so that it includes files unique to the field office and specifies any variations. Such files, for instance, might include local press files, campaign files, and academy appointment files.

☐ A final copy of the state plan should be sent to Washington for incorporation into the main office's plan.

☐ Field offices may elect to store non-current records at a regional Federal Records Center. A list can be found at the end of Chapter VIII.

☐ State offices using CMS, Mailbox, and CWS should coordinate standards for filing and indexing with the main office.

☐ The decision to microfilm state office files should be recorded in the main office's comprehensive file plan. Such files may be forwarded to Washington, DC for microfilming by the Micrographics Section of the Senate Service Department.

Chapter II:

Files Maintenance and Disposition Plan

DESIGN AND IMPLEMENTATION

The following list describes some basic steps necessary to draft and then implement an office files management plan.

1) Appoint staff to coordinate planning for files arrangement, maintenance, and disposition, including one individual who will draft the plan and who will oversee all file operations. Pertinent staff who should assist the designated records manager include the senator's personal secretary, press secretary, correspondence management supervisor, legislative staff supervisor, and state office supervisor.

2) Draft a written plan to reduce the bulk of inactive records, to dispose of short-term records as soon as possbile, and to transfer permanently valuable records to the Washington National Records Center or to a repository. The following charts are intended to be used as a basis for drafting such a plan which should specify:

☐ Which files are to be considered permanent.
☐ Which files are to be discarded.
☐ When files are to be considered ready for transfer to the repository or the Records Center.

(Assistance is available from the Senate Historical Office.)

3) Obtain approval of the plan from the senator and ask the senator to issue a memo requiring staff compliance. (See Chapter I for discussion.)

4) Cut off or break the files at the close of the current Congress or year, whichever is appropriate according to the plan. Then:

☐ Identify pending files and retain in the office for use in the next session or Congress.
☐ File a cross-reference sheet in the appropriate place among the inactive records. If a bill is renumbered or a subject entry is retitled, the new number or title should be listed on the cross-reference sheet.

5) Store inactive files either in separate storage drawers in the office (if they probably will be referred to about twice a month), or pack them into Records Center boxes for storage in attic lockers or at the Washington National Records Center. (See Chapter VIII for instructions.)

☐ Label thoroughly the file cabinets and boxed records including the name of the senator together with the name and inclusive dates of the files.
☐ If storage boxes are used, be sure to number them consecutively.
☐ Maintain a log of files sent to storage in order to be able to retrieve files that have been retired.

6) With the assistance of staff supervisors, decide which files are appropriate to set up. Select file drawers for each record series and label the drawer fronts including the Congress and title of the file. Consideration should be given to:

☐ Personal preferences of the staff.
☐ Workload of the unit.
☐ Workflow in the unit.
☐ Office facilities and equipment.

7) Before beginning to file, all staff who will be responsible for filing should review the detailed filing guidelines in Chapter IV.

8) With the senator's approval, conduct a survey of library and archival facilities likely to be interested in accepting the collection. The Senate Historical Office is available for consultation in this matter. (For details see Chapter IX.)

9) Consider recommending to the senator a cooperative agreement with the receiving institution to bring a member of its professional staff to Washington periodically to assist in the selection of files for permanent retention, especially records from voluminous file series of constituent issue mail and individual casework where additional appraisal is recommended. This will improve communication between the Washington staff and the archives, thereby ensuring effective processing and use of the collection.

PLAN OUTLINE

SENATOR'S PERSONAL FILES

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Appointment Books	Record of daily appointments	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Desk Calendar	Calendars kept on or in the senator's desk which may contain notes concerning appointments, telephone conversations, and other annotations	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Daily Schedules	Schedules of meetings and appointments—retain one copy, perhaps filed chronologically in a notebook	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Personal Correspondence	Correspondence and memos usually maintained by the personal secretary including correspondence with family members, colleagues, and personal friends and associates—may be arranged alphabetically by name of correspondent	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Personal Telephone Log	Log of telephone conversations	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Memos of Telephone Conversations	Memos for the file summarizing telephone conversations where business was conducted—may be filed by topic, name of individual, or by date	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Diaries or Personal Journals	Manuscript diaries, dictation, or transcripts of dictation recording how the senator feels about issues, events of the day, and his impression of others	Permanent	Current and previous year—office (in secure files). Older—Repository.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Biographical File	Biographical sheet, life history, including all updates (sometimes retained in Press Files)	Permanent	Current and previous year—office. Two to four years—attic. Older—Repository.
Financial Disclosure Reports	Annual financial disclosure reports filed according to Senate Rule XXXIV, amended August 3, 1979, to provide that the provisions of Title I of the Ethics in Government Act of 1978 constitute a rule of the Senate	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Invitations to the Senator	Requests for appearance at an event, or for a meeting with the senator (other than official Senate activities such as presiding over the Senate and attending committee meetings)—may be filed by name of individual or organization in connection with a "tickler file"		
	Accepted Invitations	Permanent	Current and previous year—office. Older—FRC/Repository.
	Declined Invitations (may wish to retain a summary or register of declined invitations)	Temporary	Current year—office. Previous year—discard.
Job Recommendations/Patronage	Letters of recommendation written by the senator on behalf of constituents or former staff, including nominations for judgeships—may be arranged by name		
	VIP, VIP appointments, Judgeships	Permanent	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
	All Others	Temporary	Current and previous year—office. Older—discard.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Campaign Files	Correspondence, memos, clippings, position papers, election returns and related items—can be arranged by subject—includes all files located in Washington together with files located in the state—some offices identify such files with a color-coded label to ensure their preservation	Permanent	Future and recent election—office. Previous elections—attic. Older—FRC/Repository. Microfilming—if the files are fragile or scattered in the state offices, may consider microfilming them to ensure preservation of a complete set (see Chapter V, "Micrographics," for microfilm procedures and storage requirements).

LEGISLATIVE STAFF FILES

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
VIP Correspondence	Correspondence and telephone messages from VIPs; federal, state, and local officials; community leaders; and any others the senator identifies as VIP—includes correspondence pertaining to legislative issues and the senator's views concerning issues and his/her efforts on behalf of VIP constituents. This material may be filed by name of individual or agency, either in the personal secretary's files or in the files of the staff member responsible for handling these records. A copy is sometimes filed with the central correspondence. If a separate VIP name list or picture directory is prepared to assist staff with identifying VIPs, they should be retained with the senator's permanent collection.	Permanent	Current and previous two Congresses—office. Older—Repository.
Legislative/Bill Files	Includes a copy of the bill, conference report, committee report, staff memos concerning the bill, related speeches or press releases, and other documents showing the nature and extent of the senator's participation in and the introduction and movement of bills—such documents might include pertinent news clippings that are electrostatically copied, correspondence from significant parties, correspondence with executive branch and Senate leadership (excluding government agency and interest group printed material), and a copy of the public law. A legislative file can be organized as a central file or individual staff can maintain portions of it.		

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
	Because much of the material is published, including bills, committee reports, certain agency reports, and the *Congressional Record,* it is advisable to establish an office library where publications would be available to more than one staff member and the need to file such material with legislative files would be minimized. It is recommended that staff consult the repository archivist to determine the exact disposition of any printed documents in these files. The files can be separated into four categories to facilitate disposition:		
	1) Bills individually sponsored/cosponsored by the senator (arranged by bill number or subject)	Permanent	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository. Microfilming—if the file is especially voluminous or if it is maintained by individual staff who wish to keep a copy for their personal records, staff may consider microfilming this material (see Chapter V, "Micrographics")
	2) Proposed Bills Agreed to by member and either pending or introduced (arranged by bill number or subject)	Undetermined, archivist must appraise	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository. Microfilming—if the file is appraised as permanent and is especially voluminous or if it is maintained by individual staff who wish to keep a copy for their personal records, staff may consider microfilming this material (see Chapter V, "Micrographics").

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
	3) Proposed Bills Rejected by member (arranged by bill number or subject)	Undetermined, archivist must appraise	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository, appraisal. Microfilming—if the file is appraised as permanent and is especially voluminous or if it is maintained by individual staff who wish to keep a copy for their personal records, staff may consider microfilming this material (see Chapter V, "Micrographics").
	4) Other Legislation, House or Senate bills in which the member is interested, but not involved—retain only a summary of such legislation, by bill number	Temporary	Current Congress—office. Previous Congress—office or attic. Older—destroy.
Committee File	Correspondence, information sheets, poll records, and related items pertaining to the member's work on committees and subcommittees A typical file arrangement is: Name of Committee or Subcommittee Membership Agenda/Calendar Meetings Reports Correspondence and Memos related to committee business This file can be maintained as a central file or individual staff can maintain separate sections, usually different committees or subcommittees.	Permanent	Current Congress—office. Previous Congress—office or attic. Older—RFC/Repository.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Legislative Assistant's File	Correspondence, memos, reports, and related items that document the senator's participation in the introduction and movement of bills, his/her legislative interests, his/her impact and influence and the interaction of his/her concerns and interests with the pressures of his/her constituency. These files should document the development of policy positions and legislative initiatives by the legislative staff—typical documents would include statements, staff position papers, briefing memos, and memos of significant telephone conversations. **NOTE:** It is especially important that this file include papers returned to staff with the senator's written comments. Speeches should be filed separately, as should drafts of appropriate responses to large volumes of single issue mail. This file can be arranged by subject, with an accompanying index if necessary.	Permanent	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository. Microfilming—if the LA wishes to retain a copy of this file for his or her personal records, consider microfilming to ensure preservation for the senator's collection (see Chapter V, "Micrographics," for microfilm procedures and archival storage requirements).
Briefing Books	Loose-leaf binders prepared by legislative staff containing memos concerning scheduled events in which the senator will participate, staff position papers, agendas, and related documents—briefing books are usually filed separately on an open bookcase shelf	Permanent, one copy only, preferably the copy used by the senator, especially if it contains annotations	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository.
Voting/Attendance Records	Individualized reports prepared by the Republican and Democratic Policy Committees (if time permits, staff may want to annotate the report by stating why the senator voted the way he or she did)	Permanent	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Congressional Record Inserts	Only floor speeches—no notices or cosponsorship notices—clipped from the *Congressional Record,* arranged either chronologically or by subject	Permanent	Current and previous year—office. Previous Congress—microfilm. Older—retain copy of microfilm in office and send a copy to FRC/Repository. Paper Copy—destroy.
Staff Project Files (other than those retained by the LA)	Records retained by professional staff including individuals on detail to the office, fellows, or interns, documenting a detailed study or investigation relating to a legislative, political, economic, foreign policy, or other issue. Typical papers include documents authorizing the project, such as a note from the member or a memo of a conversation with the member describing its scope, purpose, objectives and/or methodology; documents created or received during the course of the project; a final report, legislative proposal or other document that signifies the completion of the project; and intermediate progress reports showing stages of development. Papers in a single project folder may be arranged in date sequence—if more than one folder is needed, the folders should be labeled to show the title and inclusive dates of the contents. If the project file is large (more than three or four folders), it is advisable to arrange the file according to the following subject headings: Transitory Papers Authorizations Correspondence With Interested Parties Reference or Background Data and Summaries Reports and Final Memo	Permanent	Current Projects—retain in office at staff person's desk. Closed Projects: Current and previous year—office. Older—FRC/Repository. Microfilming—if the staff member wishes to retain a copy for his/her personal records, consider microfilming the file to ensure preservation for the senator's collection (see Chapter V, "Micrographics," for microfilm procedures and storage requirements).

ADMINISTRATIVE STAFF FILES

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Administrative Assistant's File	Correspondence, memos, reports, and related items that document the structure, management activities, and interrelations of the member's office and staff, and their relations to his or her duties and priorities with primary emphasis on memos to and from the senator, other staff, and outside contacts—this file could also document the development of goals and operating plans for the year and the Congress—it can be arranged by subject. **NOTE:** It is especially important that this file include papers returned to staff with the senator's written comments.	Permanent	Current Congress—office. Previous Congress—office or attic. Older—FRC/Repository. Microfilming—if the AA wishes to retain a copy of this file for his or her personal records, consider microfilming to ensure preservation for the senator's collection (see Chapter V, "Micrographics," for microfilm procedures and archival storage requirements).
Constituent Correspondence or "Issue Mail"	Correspondence, incoming and outgoing reply if individually prepared, telephone and personal visit requests that are issue related and originate in the senator's state. This material contains information on constituents' views and questions about current events or public issues. The file is usually arranged by subject and requires a standardized vocabulary to maintain consistency in filing. The majority of senators' offices use standardized paragraphs to reply to this mail. Offices using the Correspondence Management System (CMS) can find additional information in Chapter III, "The Management and Disposition of Automated Records". A standard topic list for CMS is reproduced in Appendix F. Many offices choose to microfilm this material because of the volume which rapidly accumulates. (See Chapter V "Micrographics," for microfilm procedures and archival storage requirements)		

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
	NOTE: Opinion is divided concerning the long-term research value of this material. It is advisable to consult with the repository archivist or the Senate Historical Office concerning the precise disposition of these files. The following recommendations represent the general view of the Senate Historical Office, but Senate staff also are advised to consult the repository archivist.		
	1) Large Volume Single Issue—(consider microfilm or sampling, keeping a record of the total number received)	Permanent sample only or microfilm	Current year—office. Previous year—sample or microfilm (consult archivist). Older—FRC/Repository.
	2) Small Volume Single Issue—issues important to the senator or state	Permanent	Current year—office. Previous year—office or attic. Older—FRC/Repository.
	3) Small Volume Single Issue—issues not important to the senator or state	Temporary	Current year—office. Previous year—office or attic. Older—destroy.
	4) Multiple Issue—(if volume is large, consider microfilm or sampling, keeping a record of the total received)	Permanent, possible sample or microfilm	Current year—office. Previous year—decide whether or not to sample or microfilm in consultation with the repository archivist. Older—FRC/Repository.
	5) Out-of-State—correspondence from non-constituents. If the office responds to such mail, it is usually interfiled in one of the other categories. If the office does not respond to such mail, it is filed in a separate file for disposal	Temporary if filed separately	Current year—office. Previous year—destroy, or destroy after 60 days.
	6) Post Card Mailings—if using CMS, retain one copy together with a printout of names receiving a reply—if not using CMS, retain one copy together with a count of the total postcards received	Permanent sample only	Current year—office. Previous year—samples to attic. Older—samples to FRC/Repository.
	7) Form Letters—if using CMS, retain one copy together with a printout of names receiving a reply—if not using CMS, retain one copy together with a count of the total number of form letters received	Permanent sample only	Current year—office. Previous year—samples to attic. Older—samples to FRC/Repository.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
	NOTE: As with issue mail, opinion is divided concerning the long-term research value of this material—it is advisable to consult with the repository archivist or the Senate Historical Office concerning the precise disposition of this material.		
Casework Reports and Indexes	Computer-generated cumulated indexes and reports from the Senate Automated Indexing System (AIS) or manually prepared indexes. If the documents indexed are microfilmed, the indexes should key into the microfilm roll and frame numbers as well as the hard copy file. The Senate Computer Center can produce CWS indexes and reports on computer output microfilm (COM) for offices that need it. (For detailed information about specific indexes and reports, see Chapter III, "The Management and Disposition of Automated Records")	Permanent, see Chapter III for specifics	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Grants and Projects	Requests from cities, towns, municipalities, the state, small businesses, private research groups, and non-profit, social service or community action organizations for information and assistance in obtaining federal funds or federal grants for projects—includes original request, member's office letter to the agency, interim letters, and final reply—can be filed by name of grant program or geographic location. Sometimes state offices respond to these requests. A useful related file is an agency reference file on the status and requirements of various grant programs. **NOTE:** This file should be separate from casework and issue mail files, even if it is managed by the CWS subsystem of CMS—separate filing facilities disposition.	Permanent	Current Congress and pending requests—office. Previous Congress closed files—attic. Older—FRC/Repository.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Grants and Projects Reports and Indexes	Computer-generated cumulated indexes and reports from the Automated Indexing System (AIS) related to grants and projects or manually prepared indexes—the Senate Computer Center can produce indexes and reports on computer output microfilm (COM) for offices that need it. (For detailed information about specific reports and indexes, see Chapter III, "The Management and Disposition of Automated Records")	Permanent see Chapter III for specifics	Current and previous year—office. Two to four years—attic. Older—FRC/Repository.
Request for Materials	Requests for flags, Agriculture Yearbooks, pictures, gallery passes, biographies, public documents, or for information about the state	Temporary	Current year—office. Previous year—attic. Older—discard.
Military Academy Appointment Files	Requests for assistance seeking nominations to service academies, usually handled by a military caseworker, and including an initial acknowledgment, copy of academic record, and letters of recommendation—usually filed alphabetically by name of constituent. If the office maintains a register of applicants and appointees, and documents the process by which decisions were made together with any exceptions, the register should be sufficient for historical purposes.	Those nominated and appointed, Permanent	Current and previous year—office. Older—if a register is maintained discard—if not, FRC/Repository.
		Those not recommended, Temporary	Current year—office. Previous year—discard.
General Reference File	Clippings, printed material, agency printed material retained by the office for purposes of general reference	Temporary	Current Congress—office. Previous Congress—review at the end of each Congress, discard outdated material.
Political Reference File	Correspondence, memos, and related items on leading political figures in the state—can be filed by subject and may be identified with color-coded labels	Permanent	Current and previous two Congresses—office. Older—FRC/Repository.

PRESS STAFF FILES

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Speeches **Press Releases** **Newsletters** **Specialized Mailings** **Opinion Editorials "Op Eds"** **Columns**	Individual files of press documents originating in the senator's office—each of these files can be arranged by subject or chronologically. A chronological speech file can be cross-indexed by subject. Press releases can be annotated to show which papers carried them. A sample of each mass mailing can be retained together with a copy of the description of the group or groups to whom it was mailed. (For additional information on the Press Release Subsystem of the Correspondence Management System, see Chapter III, "The Management and Disposition of Automated Records")	Permanent	Current Congress—office. Previous Congress—microfilm and send hard copy to attic. Older—retain microfilm in office and forward hard copy to FRC/Repository (see Chapter V, "Micrographics," for microfilm procedures and archival storage requirements.
Newspaper Clippings	Clippings from major dailies and from state newspapers, with the name of the paper identified, mentioning the senator and/or opposition candidate—can be filed by subject, chronologically, or by geographic location. Staff may wish to consult repository archivist to define the focus of permanently valuable clippings.	Permanent	Current Congress—office. Previous Congress—office or scrapbooks. Older—microfilm clippings to preserve them—retain scrapbooks in the office then forward to the repository (see Chapter V, "Micrographics," for microfilm procedures and archival storage requirements).
TV and Radio Files	Audio and video tapes and transcripts, including campaign spots, commercials, and interviews—all cassettes, cartridges, and reels should be labeled with the name of the event or topic of the interview and the date recorded. **NOTE:** This material *should not be stored in attic lockers* as excessive heat and humidity can cause permanent damage. Storage is available at the Washington National Records Center. (See Chapter VIII, "Courtesy Storage," for instructions). For open reel sound recordings, indicate tape speed and length, if known.	Permanent	Current and Previous Congress—office. Older—FRC/Repository, *be sure to box separately from textual records* so that this more fragile medium can be stored in a special temperature and humidity controlled environment.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Photographs/Slides	Of the senator, guests, and family—may be filed by subject and labeled in pencil on the reverse. The date of the photo should also be recorded on the back. **NOTE:** This material *should not be stored in attic lockers* as excessive heat and humidity can cause permanent damage. Storage is available at the Washington National Records Center. (See Chapter VIII, "Courtesy Storage," for instructions—staff should avoid putting paper clips on photographs)	Permanent	Current and Previous Congress—office. Older—FRC/Repository, *be sure to box separately from textual records* so that this more fragile medium can be stored in a special temperature and humidity controlled environment.

OFFICE MANAGEMENT FILES

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Part I **Office Operations, Methods, and Procedures**			
1) Permanent Memos	a) Memos to the senator's staff retained in the file of the staff director, legislative assistant, administrative assistant, and office manager detailing internal administrative procedures in the office	Permanent	Retain in office for as long as needed for administrative purposes—retire to attic or repository when superseded.
	b) Memos to the senator from staff, particularly those with the senator's personal notation, retained in the senator's personal file or in the files of the staff director, legislative assistant, administrative assistant, or office manager, documenting procedures within the office and staff interaction with the senator	Permanent	Retain in office for as long as needed for administrative purposes—retire to attic or repository when superseded.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
2) Transitory Staff Memos and "Tickler" Files	Facilitative records or "housekeeping" records that are not substantive and lose their administrative purpose after a specified period of time including working notes and background material; memos scheduling staff meetings, coordinating media activities; and library reference material—the activities themselves should be documented adequately in permanent files	Temporary	Discard as administrative purpose ceases.
3) Office File Manual	Instructions for filing and disposition of office records, approved by the senator—also includes lists of files transferred to storage	Permanent	Retain in office for as long as needed for administrative purposes—retain all superseded manuals and transfer to repository when corresponding files are transferred.
4) Form Letters, CMS Master Library and Cumulated Indexes	One copy of each form or pattern letter together with any indexes—(for a full discussion of automated indexes and reports, see Chapter III, "The Management and Disposition of Automated Records")	Permanent	Retain in office as long as the records are current—retain all superseded paragraphs and indexes and transfer to the repository when the corresponding files are retired.
5) Loan Division, Library of Congress	Loan records—offices periodically can request a printout from the library, listing borrowed books—it is inadvisable to let this slide until an office is closed, as offices are billed for non-returned books	Temporary	Retain printouts until the list is cleared—destroy when no longer of administrative use.
Part II			
Personnel Files			
1) List of Current and Former Staff Members	List should include dates of employment, job titles, office telephone number, and room number—the list should be maintained by the office manager	Permanent	Current and previous years—office. Transfer to repository when member leaves office.
2) Staff Personnel Folders	Individual folders filed alphabetically including resumes, recommendations, performance appraisals, letters of resignation, financial disclosure statements, job descriptions, personnel actions, and awards	Undetermined	Retain in office as long as current—Archivist should appraise.
3) Fellows and Interns	Records pertaining to the employment or detail of interns and fellows	Temporary	Destroy when no longer of administrative use.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
4) Job Applications	Applications for positions on the senator's staff	Temporary	Current year—office. Previous year—destroy applications and keep a log or CMS listing for future reference.
Part III **Security Clearances**			
1) Policy Memos	Procedures for staff personnel	Temporary	Retain in office until superseded.
2) Document Control System	Directions for handling security, classified records or privacy restricted records	Temporary	Retain in office until superseded.
3) Clearances	Records documenting level of clearance for Senate staff For specific assistance related to National security classified material, contact the Senate Office of Classified National Security Information, 224-5632	Temporary	Retain in office for as long as needed for administrative purposes.
Part IV **Parking Space Assignments**	Printouts and memos from the Parking Office	Temporary	Retain in office until superseded.
Part V **Office Space**	Records documenting office space assignment, maintenance of such space, catering, room reservations	Temporary	Destroy when no longer of administrative use, when accounts are cleared.
Part VI **Equipment Files**			
1) Inventories of Equipment and Furniture	Printouts are available from the Sergeant at Arms—inventories should be kept for equipment signed outside the office	Temporary	Retain in office until superseded and cleared.
2) Loans of Plants and Prints	Records documenting loans from the Botanical Garden and the National Gallery—plants and prints must be returned and cleared when an office closes	Temporary	Retain in office until superseded and cleared.

TYPE OF FILE	DESCRIPTION	RETENTION	DISPOSITION
Part VII **Office Funds**	All material pertaining to the senator's office budget and the acquisition, use, and accounting of funds—the Disbursing Office publishes all vouchers in the semi-annual report of the Secretary. Backup materials are not kept by the Disbursing Office, and therefore should be retained in the senator's office for proof of expenditures until the vouchers themselves are audited and destroyed. The vouchers are destroyed when they become twelve years old.		
1) Payroll/Salaries	Records documenting expenditures of administrative, clerical, and legislative assistance allowances for each fiscal year including Disbursing Office monthly reports of annual salaries and titles, breakdown of allowance and expenditures for current month and projections for the next two months	Temporary	Destroy when no longer of administrative use, or when two congresses old.
2) Accounts	Records documenting by calendar year expenditures for equipment, books, photo supplies, telephone, telegraph, etc., including ledgers, journals, and an office budget	Temporary	Current and previous two calendar years—office. Four years—attic. Destroy twelve years after the close of the calendar year in which the account was paid.
3) Vouchers	Vouchers and accompanying documentation such as invoices, bills, statements, receipts, or other evidence of expense incurred	Temporary	Current and previous two calendar years—office. Four years—attic. Destroy twelve years after the close of the calendar year in which the account was paid.
4) Travel	All records pertaining to travel, such as hotel reservations, copies of itineraries, vouchers, per diem, requests for reimbursement, and incidental expenses—*original itineraries should be retained in staff or member's permanent files, as appropriate*	Temporary	Current and previous two calendar years—office. Four years—attic. Destroy twelve years after the close of the calendar year in which the account was paid.

Chapter III:
The Management and Disposition of Automated Records

INTRODUCTION

DEFINITION

Automated (machine readable) records represent an increasingly important part of the materials created and maintained by Senate offices. These records, stored on magnetic media, require access to a computer for decoding, processing, and printing. For example, names and addresses stored on the Senate's Newsletter Mail File system cannot be viewed until they have been processed and printed by a computer. Because such records are usually stored in a form that is easy to modify and update, they are sometimes mistakenly considered to have temporary or transitory value. This chapter covers the management and disposition of automated records, and the documentation required to maintain them.

PURPOSE

Within the past few years, many Senate offices have expanded from one or two centralized systems to a combination of centralized and decentralized systems to process office work. Existing centralized systems undergo constant refinements. In addition, many offices are using their own office automation systems. Clearly, Senate use of automation will continue to increase, and with this increase, offices should expect to exercise more control over the maintenance and disposition of the media on which automated records are stored.

OBJECTIVES

Certain automated records may warrant permanent retention for future use by the office or a repository site, such as a library or university. If records become inactive, however, and then are maintained for an extended time, there is a danger that the system or equipment used to create these records will become obsolete. The retrieval of information stored on such media could be hindered by dependence on a specific type of equipment or software package. To manage effectively the creation, maintenance, and disposition of automated records, offices should develop written guidelines that include:

☐ instructions for compiling an inventory of automated files and information, as well as the office computer equipment and software they require.

☐ documentation to be saved with each automated record, such as the name of the file, the location of the media, the format and layout of the record.

☐ disposition guidelines for automated records that identify permanently valuable information and provide for its transfer to an archival storage medium such as magnetic tape, microfilm or paper.

☐ guidelines for deleting and reusing the magnetic media.

☐ requirements for the physical maintenance of magnetic media (AIS, Decentralized, and purchased or contractor-produced files).

This chapter provides necessary information and background for such guidelines.

AUTOMATED RECORDS IN THE U.S. SENATE

CENTRALIZED

Senate offices use a variety of centralized systems including those designed for retrieval of legislative information, preparation of individualized responses to constituent mail, casework tracking, creation and storage of documents for publication or distribution, and file indexing. The Senate Computer Center (SCC) maintains centralized systems on magnetic tapes and disks. Generally, individual offices do not need to be concerned with the maintenance and disposition of such tapes. Of importance to an office is the information stored on these systems, such as form paragraphs, mailing lists, and drafts of speeches and articles, together with various reports that are available from the systems. Permanent information stored on these systems may be preserved either on computer output microfilm (COM) or on printouts. (See Chapter V, "Micrographics," for archival storage requirements for microfilm.)

There is one exception to the general rule that magnetic tapes must remain in the custody of the Computer Center. While Senate Rule XL, section 5, would preclude a senator from receiving a tape of names and addresses prepared by the Senate Computer Center and turning that tape over to a non-Senate organization, magnetic tapes from the Automated Indexing System (AIS) are available for transfer to repositories when an office selects a repository for final disposition of the senator's records. Such tapes may contain indexing and other reference codes to a correspondence file. This presents an office and the repository with a choice. Information stored on AIS may be transferred to the repository on magnetic tape, computer output microfilm, printouts, or a combination of these forms. (Refer to "Dear Colleague" letter from the Committee on Rules and Administration dated October 21, 1982, Appendix D.)

To transfer AIS tapes, the senator's letter to the Sergeant at Arms should include the name and location of the repository and information about the facilities available at the repository to process magnetic media. Necessary technical documentation about the Automated Indexing System will be supplied to the repository receiving the tapes. Contact the Senate Computer Center, Educational Services Division, for more information.

DECENTRALIZED

Automated services traditionally have been provided to Senate offices through centralized computer systems. Recently, many offices have begun to use stand-alone computer systems physically located within their offices. Equipment types for these systems may vary from microcomputers and stand-alone systems to fully integrated systems using personal computers, stand-alone systems, and mainframe computers. The three approved office automation systems available for Senate offices are Data General, Honeywell, and Prime.

Of importance to records management is the fact that the magnetic media used for storing information on these systems usually consists of tapes, diskettes, and disks that are maintained by the office rather than the Senate Computer Center. The office, therefore, has an added responsibility to ensure proper physical storage and care. Physical maintenance considerations are covered later in this chapter.

In addition, the office should ensure that permanently valuable information stored on such media is preserved. *It may be helpful to designate information as permanently valuable as it is entered on a system.* The way of indicating this is to use a special filing/document coding scheme which may include special characters as a prefix to the document names.

To develop a code, it is important for each office to compile a comprehensive list of subject (index) terms that will be used to index each document, preferably as it is entered. It also is important to require that each document entered be dated. (*The Legislative Indexing Vocabulary: The Congressional Research Service Thesaurus,* compiled by Shirley Loo should prove useful to most offices developing a subject list for the first time.)

Because the media itself is extremely fragile and software-dependent, it is likely to become obsolete because of technological advances. Therefore, offices are advised to transfer permanently valuable information to paper, microfilm, or, when possible, to 9-track magnetic tape, if the tape is software independent, before such information is erased from the media. Guidelines are provided in the Office Automation Section of this chapter.

OWNERSHIP

Offices should address "ownership of magnetic media" in the context of centralized and decentralized systems. Traditional practice has been that all records created and maintained as a result of work performed by a Senate office, regardless of the media on which they are stored, are the property of the senator. In centralized systems, the information is the property of the senator, while the tapes and disks are the property of the Senate. Certain tapes, however, may be donated to repositories upon request (see Appendix D, letter dated October 21, 1982 from the Committee on Rules and Administration). Information on both centralized and decentralized systems should be maintained and disposed of under a disposition plan approved by the senator.

SENATE COMPUTER CENTER (CENTRALIZED) SYSTEMS

DISPOSITION GUIDELINES AND SAMPLE REPORTS

When using centralized systems, there are a variety of reports available for general information, for record-keeping, for management analysis, and for assessing production workloads of individuals within the office. Some of these reports are important because they provide access to certain information or certain files. Others are of transitory value and may be disposed after a specified time.

To assist office managers in choosing reports pertinent to their office procedures and to help identify which reports are valuable for historical research, a summary of each system and its reports follows. Selected sample reports are included following this chapter. In cases where questions arise on the historical significance of specific files, Senate staff should contact the Senate Historical Office (224-6900) or the repository archivist.

CORRESPONDENCE MANAGEMENT SYSTEM (CMS)

This automated system provides a method for creating many similar, but individualized letters by using approved paragraphs or letters of text merged with constituent names and addresses. It is widely used throughout the Senate to respond to high volume mail.

The major fields of information available from the system include the name and address of the constituent, the aide responsible for answering the letter, at least three subject terms about the letter, a unique document number for each letter, a paragraph item number, the date of the correspondence, and brief comments about the letter. For a complete listing of all fields of information, contact the Computer Center, Educational Services (224-5921).

Many Senate offices use the document number as a filing key to their central and individual files. For these offices, the document number is composed of the julian date, the CMS operator number, the type of correspondence, such as a high volume, low volume, or manual entry, and a sequence number for a particular operator number. An example follows:

5	150	31	2	001
|	|	|	|	|
Year	Date	Operator No.	Type	Sequence No.

Correspondence answered by using CMS is usually filed in document number order, although some offices prefer to file by subject of the letter. Disposition of such correspondence is covered in Chapter II. There are various reports generated by this system for general usewithin the office. It is recommended that a senator's office consult with a repository archivist to ascertain exactly which reports, and in which format (paper, microfilm) the repository would find most practical for providing reference services to the senator's office and for future research purposes. Should it become possible for offices to retain a copy of CMS records (topic and subtopic of form paragraph) on magnetic tape that is software independent, such tapes should be forwarded to the repository for preservation (see Appendix D, letter dated October 21, 1982 from the Committee on Rules and Administration and this chapter, page 3, for discussion).

Guidelines for disposition of these reports follow:

Abstract Report By Topic—see exhibit 3-1
(produced each week for all completed items; does not include introductory or deleted items)

Retention:	Permanent.
Disposition:	Retain in office for two updates or until no longer of administrative use. Transfer to FRC/Repository to serve as an index to corresponding library items.
Microfilming:	May request an archival quality microfilm of a complete set of reports to ensure preservation.

Abstract Report By Item—see exhibit 3-2
(produced each week for all completed items; does not include deleted or introductory items)

Retention:	Permanent.
Disposition:	Retain in office for two updates or until no longer of administrative use. Transfer to FRC/Repository to serve as an index to corresponding library items.
Microfilming:	May request an archival quality microfilm of a complete set to ensure preservation.

Correspondents' Output Report—see exhibit 3-3

Retention:	Temporary.
Disposition:	Retain in office as long as necessary for administrative purposes, then dispose.
Microfilming:	Not necessary.

Daily History Report—see exhibit 3-4

Retention: Temporary.
Disposition: Retain in office for as long as necessary for administrative purposes, then dispose.
Microfilming: Not necessary.

Frequency Of Items Report—see exhibit 3-5 (sorted in descending order of frequency)

Retention: Permanent.
Disposition: Retain in office as long as necessary for administrative purposes. Transfer to FRC/Repository.
Microfilming: May request an archival quality microfilm of a complete set of reports to ensure preservation.

Frequency Of Items Report—see exhibit 3-6 (sorted by topic)

Retention: Permanent.
Disposition: Retain in office as long as necessary for administrative purposes. Transfer to FRC/Repository.
Microfilming: May request archival quality microfilm of complete set of reports to ensure preservation. May wish to obtain a reference film for use in the office.

Operator Entries Report—see exhibit 3-7

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes.
Microfilming: Not necessary.

Tickler Report—see exhibit 3-8

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes, then dispose.
Microfilming: Not necessary.

Tickler Management Status—see exhibit 3-9

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes, then dispose.
Microfilming: Not necessary.

Topic Breakdown Report—see exhibit 3-10

Retention: Permanent.
Disposition: Retain in office for one year or as long as necessary for management purposes. Transfer to FRC/Repository with corresponding records.
Microfilming: May request archival quality microfilm of complete set of reports. Office may also wish to obtain a copy of the film for reference within the office.

Unused Items Report—see exhibit 3-11 (produced quarterly)

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes, then dispose.
Microfilming: Not necessary.

Weekly History Report—see exhibit 3-12 (by aide)

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes, then dispose.
Microfilming: Not necessary.

Weekly History Report—see exhibit 3-13 (by constituent)

Retention: Permanent.
Disposition: Retain in office as long as necessary for administrative purposes. Transfer to FRC/repository with corresponding records.
Microfilming: May request archival quality microfilm of complete set of reports.

Library Item Encyclopedia—see exhibit 3-14

Retention: Permanent.
Disposition: Retain in office as long as needed for administrative purposes. Transfer to FRC/Repository with corresponding records.
Microfilming: May request archival quality microfilm for the repository to ensure preservation of the library. Office may also request a copy of the film for use within the office.

CMS PRESS SYSTEM

This subsystem of CMS allows staff to create, edit, and store press documents such as press releases, weekly columns, and statements. The text of the document can be transmitted electronically to state offices, or stored permanently and indexed under such categories as document type, topic, date of creation, and the initials of the staff member who created the document. It is also possible to file information about press documents without filing any text—newspaper clippings, for example. (This system is undergoing study and may soon be replaced by an in-house system.)

The disposition of any text stored on this subsystem should follow the disposition suggested in Chapter II for similar paper records. For instance, each office should maintain a complete set of press releases on paper, regardless of what is stored on the automated system. Should it become possible for offices to retain CMS Press documents on magnetic tape, that is not software dependent, such tape should be forwarded to the repository for preservation.

Reports available from CMS press include:

Press Abstract Report—see exhibits 3-15 and 3-16 (printed weekly in library item number order and in alphabetical order by topic)

Retention: Permanent.
Disposition: Retain one copy as an index to the corresponding press file.
Microfilming: Send to be microfilmed with corresponding press paper files.

Media Contact File (includes name, address, telephone no., and issue codes which characterize the nature of the contact; produced upon request)

Retention: Permanent, together with key to issue codes.
Disposition: Retain as a record on press contacts for at least two congresses. Transfer with accompanying files to FRC/repository.
Microfilming: Sent to be microfilmed when office films entire media file.

Clipping Abstract Report—see exhibit 3-17 (sorted by topic, an index to clippings)

Retention; Permanent.
Disposition: Retain as an index to clippings for at least two congresses. Transfer with accompanying files to FRC/repository.
Microfilming: Send to be microfilmed when office films the clippings file.

CMS CASEWORK SYSTEM (CWS)

This subsystem of CMS allows the office to create, edit, store, and track casework letters. Casework is usually filed in constituent name order. Available from CWS is:

Individual Weekly Abstract Report

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes, then destroy.
Microfilming: Not necessary.

NOTE: Consolidated reports are available from AIS, see "partial file listing" under AIS. Additional CWS management and tracking reports are also available. For additional information call ESS at 224-5912.

ELECTRONIC MESSAGE/MAIL SYSTEMS (MAILBOX)

Electronic message/mail systems contain a variety of communiques that can be transmitted from office to office (for instance, between different offices of the Senate), or between a senator's Washington, DC office and a home state office. Text is entered through the office terminal, edited and stored on a system, and accessed at a later time by other authorized users of the electronic message/mail system.

Most electronic message/mail systems are used to prepare and distribute memoranda and letters to those staff interested and authorized to receive information from the system.

Electronic message/mail systems are currently available for all Senate offices through MAILBOX, a capability of the Correspondence Management System. As with all computers, it is expected that the use of electronic message/mail systems will increase in the future and that the specific delivery system will be adjusted to incorporate technological advances. Senate office management staff should address several important issues regarding use of such systems. These issues are:

☐ Which staff members are authorized to view, edit, and receive electronic messages/mail?

☐ What office records will be created and transmitted using these systems?

☐ What storage capability is available from the system to retain a permanent copy of the record?

☐ Is the information being created on the system of historical value to the senator or to the designated repository?

☐ Which records from the system will be copied to paper and retained with the office's permanent paper collection?

☐ Has consideration been given to creating an index to all records created and stored on an electronic message/mail system?

If a Senate office is using MAILBOX, it is important to note that messages are stored on the system for only *ten* days. Therefore, *it is critical* to retain, in paper copy, those records of documentary or historical value before they are no longer available from the system. As long as current Senate policies do not allow users of MAILBOX to retain records from the system on a magnetic tape for future use by office staff or the designated repository, the following retention and disposition guidelines should be considered.

Retention and Disposition Guidelines for Electronic Mail

Generally, the disposition of communications stored on electronic message/mail systems should follow the retention specified for the same type of information stored on paper. Examples include:

☐ Memoranda and correspondence between the senator, other senators, and senior staff, especially legislative and administrative assistants concerning legislation, committee business, issues, policy positions, strategy, special projects, office management policy, and related matters. These should be retained as part of the *permanent* collection.

For disposition, the office should transfer the message/mail to paper after viewing, and file the record with the office files. For message/mail sent from one office to another, both the sender and the receiver should transfer the record to paper, and file the record with the respective office files.

☐ Memoranda and correspondence among legislative assistants, either in the same office or in different offices, pertaining to legislation, issues, committee action, policy positions, strategy, and related matters. These should also be included in the *permanent* collection, and disposed of in the same manner as the above category.

☐ Administrative memoranda and correspondence that are not substantive and lose their administrative purpose after a short time, such as notices of staff meetings, coordinating appointments, constituents' requests for information, supervising interns, and related "housekeeping" matters. These have *temporary* historical value to the office, and therefore, they should be retained only as long as necessary for administrative purposes.

☐ For advice concerning specific types of communications, staff may consult the Senate Historical Office or the respository archivist.

NEWSLETTER MAIL FILE SYSTEM

This is a centralized system that allows office staff to create and maintain a list of constituent names and addresses. These names and addresses are then used to create labels and lists for mailing purposes. The system is available to all senators, committees, subcommittees, and officers of the Senate.

The fields of a Newsletter Mail File System record include the constituent name and address, a two-character code identifying more information about the constituent, such as subject of letter, a three-character code identifying demographic characteristics of the constituent, the salutation of the constituent, and a listing of group names associated with the constituent (generated and transferred from CMS). *It is imperative that a staff member maintain current lists of the meanings of these codes and groups. Outdated lists should be retained for the permanent collection.*

The Committee on Rules and Administration prescribes guidelines for use of this system pursuant to the Standing Rules of the Senate, Rule XL. All questions about the use of the system should be referred to this Committee.

Reports available from this system are generated upon user request. They are:

Full File Listing

Retention:	Temporary.
Disposition:	Retain for as long as necessary for administrative purposes.
Microfilming:	Not necessary unless office would like to keep a copy of full file listings with the permanent constituent files collection.

Partial File Listing By Selected Criteria (An example of this type of report may include a listing of all constituents within a certain zip code, who have written about a specific issue.)

Retention: Temporary, unless selected criteria were used for a special mailing or a survey.
Disposition: Retain as long as necessary for administrative purposes, then dispose. If the listing was used for a special mailing or survey, it should be filed with the appropriate paper files for the permanent collection.
Microfilming: Not necessary.

Profession Code Statistics Count (an alphabetical listing of "profession codes" assigned by an individual office)

Retention: Permanent, together with the key to the profession code list.
Disposition: Retain in office as necessary for administrative purposes, then transfer with any accompanying paper files to the FRC/Repository.
Microfilming: Not necessary.

Area Code Statistics Count (a numerical listing of "area codes" which are defined by an individual office; congressional districts are sometimes used)

Retention: Permanent, together with the key to "area code" list.
Disposition: Retain in office as long as necessary for administrative purposes, then transfer with accompanying materials to the FRC/Repository.
Microfilming: Not necessary.

Definite and Possible Duplicate Report—see exhibit 3-18

Retention: Temporary.
Disposition: Retain only until duplicates are identified and purged, then dispose.
Microfilming: Not necessary.

Errors Listing

Retention: Temporary.
Disposition: Retain only until corrections are made, then dispose.
Microfilming: Not necessary.

Update Report—see exhibit 3-19

Retention: Temporary.
Disposition: Retain only until all information on report is verified, then dispose.
Microfilming: Not necessary.

AUTOMATED INDEXING SYSTEM (AIS)

This system allows staff to index a variety of office automated and paper records, including correspondence, speeches, press files, committee reports, hearings, legislation, reference files, casework, field office files, and microfilmed documents. To use it, office staff must prepare a standard list of indexing terms, called a vocabulary. When the vocabulary has been approved by senior office staff, copies are circulated to all staff so they can use consistent indexing terms. Each office should ensure that one person is responsible for maintaining a current list of all terms being used by the office. Once any change is made to the list, a revised copy should be circulated to all concerned. (A sample CMS topic/subtopic list is reproduced in Appendix F.)

Approximately 95 percent of AIS use is to index correspondence records transferred from the Correspondence Management System. If files that are indexed are permanent, the AIS records are permanent. If files are not permanent, the corresponding AIS records may or may not be permanent. For instance, if issue mail is retained permanently, the corresponding AIS index should be retained permanently, both on paper and in automated format. If AIS is used to index printed reference materials that are of temporary value, the accompanying AIS index will be of temporary value, and should be disposed of with the reference materials. However, in certain instances, an office may wish to retain the AIS index permanently as a summarization of paper files that are disposed. Casework indexes are an example.

NOTE: AIS records are stored on magnetic tapes at the Senate Computer Center. With appropriate approval, copies of these tapes may be sent to the senator's designated respository. (See Appendix D, letter from the Committee on Rules and Administration, dated October 12, 1982.) Such tapes are valuable for research purposes. For the repository's administrative use and to facilitate future access, it is advisable to obtain some of the indexed information from AIS in paper form or microfilm. It is important to consult with the repository archivist to ascertain the magnetic tape format requirements of the receiving repository. It is also important to consult with the Computer Center to ensure that necessary technical information on the format of AIS tapes is forwarded to the repository.

Each time offices "close-out" or complete various files, corresponding AIS information should be copied to paper or computer output microfilm and retained with the completed files. Offices then should "archive" their AIS files to correspond to the "closed" paper files. Many offices choose to archive index files at the end of a session of Congress, or at the end of a Congress.

There are many ways to sort the information contained on the AIS tapes. For historical purposes, the following index file sorts are recommended for permanent retention with the senator's collection:

Type of Documents	*Type of Index Sort*
Correspondence	Name Order Topic Order Date Order City Order Numerical Order (especially if documents are microfilmed in numerical order)
Legislative Documents	Bill Number Order Topic Order Date Order
Reference Materials	Author/Agency Order Topic Order Date Order
Speeches, Press Releases, Media Files	Topic Order Date Order Name Order

Only the final version of the following reports should be retained permanently.

Full File Listing—see exhibit 3-20, sample of additions

Retention:	Permanent if corresponding indexed records are permanent, *or* if you wish to retain an index as a summary to replace the file of documents.
Disposition:	When files are closed, or periodically if volume is high, obtain a full file listing in desired format. Transfer index to FRC/Repository with corresponding paper records. May also wish to retain a second copy of the index in the office for reference use.
Microfilming:	May request archival quality microfilm for the respository to ensure preservation. May request a second copy for office reference use.

Partial File Listing By Selected Criteria (Examples include listings of all casework, or all constituents writing about a particular issue, or a listing of press mailings to a certain part of the senator's state.)

Retention:	Same as for full file listings.
Disposition:	Same as for full file listings.
Microfilming:	Same as for full file listings.

Special File Sorts (Many offices receive their index files sorted in topic order, constituent name order, date order, city order, etc.)

Retention:	Permanent for reference purposes.
Disposition:	Same as for full file listings.
Microfilming:	Same as for full file listings.

LEGISLATIVE INFORMATION SYSTEM (LEGIS)

LEGIS is an information retrieval system that provides immediate access to the most recent digest and current status of all bills, resolutions, and amendments from the 95th Congress through the present. Also contained in the system is information on presidential messages, executive communications, petitions, and memorials from the 96th Congress and, beginning with the 97th Congress, information on committee and subcommittee assignments, the Senate agenda, and nominations. The daily floor schedule from the majority leader's office, Senate precedents and procedures compiled since July 30, 1981, and reports summarizing pending business on the Senate floor are also available on LEGIS.

Reports available from the system include:

Legislative Activities Report—see exhibit 3-21 (Issued quarterly for each senator including information on sponsored and co-sponsored bills and amendments together with a subject index.)

Retention:	Permanent. As the reports are cumulative, retain the final report for each Congress. Maintain a complete set in the office for reference use.
Disposition:	Retain in office for as long as necessary for administrative and reference purposes, then transfer to FRC/Repository.
Microfilming:	Optional.

All Option Report—see exhibit 3-22 (For selected bills, includes all information in the system.)

Retention: Permanent, for legislation sponsored by the senator and for co-sponsored legislation that is important to the senator. A final version of this report may be filed in the corresponding bill file folder, or the reports may be filed in ring binders as a separate series.
Disposition: Retain in office with corresponding bill file. Transfer to FRC/Repository when no longer of administrative or reference use.
Microfilming: Optional.

Autotracking Reports—see exhibit 3-23 (Includes information on current status of a bill.)

Retention: Temporary.
Disposition: Retain in office as long as necessary for administrative purposes, then dispose.
Microfilming: Not necessary.

PROGRAM REVIEW SYSTEM (PRS)

PRS enables committees, subcommittees, and officers of the Senate to maintain, update, analyze, and print tables of data. The system primarily is used to support committees in the congressional budget process, the authorization process, and in program review and oversight. Each committee can collect and maintain information about financial and performance aspects of programs within its jurisdiction. They can perform comparative and statistical analyses to discern relationships and test theories about alternative program levels. It is possible that these reports will find their way into a senator's office files.

A variety of reports can be generated using PRS. Samples are provided (see exhibits 3-24 and 3-25). Generally, disposition of such reports depends on their use within the office. If a report is used as a justification for a certain decision, it should be retained in the permanent files. Most reports generated by the system are specified by the users, therefore, it is not feasible to list standard system reports in the handbook.

ADVANCED TEXT MANAGEMENT SYSTEM (ATMS)

ATMS is authorized for use by all Senate committees, subcommittees, and officers of the Senate. Use of ATMS varies from office to office, but the primary uses include drafting committee calendars, reports, memos, speeches, and other types of documents that require editing and updating.

Most routine preliminary drafts of documents stored on ATMS may be classified as "working papers," and therefore, need to be retained only for as long as needed for administrative purposes. The final copy of most documents produced on ATMS should be retained with the permanent collection of records within the office, if the record is deemed to be of historical value. As an example, preliminary versions of a speech that goes through several edits generally need not be retained, but the final copy should always be retained in the permanent collection. *Any substantive revisions of a speech, however, should be retained as historical documents, especially if they document changes in position or opinion.* Specific assistance with appraising such drafts is available from the Senate Historical Office.

OFFICE AUTOMATION (DECENTRALIZED) SYSTEMS AND PURCHASED/CONTRACTOR PRODUCED SYSTEMS

MANAGEMENT CONSIDERATIONS

Because office automation systems generally are software dependent in their operating systems, it is very unlikely that the senator's chosen repository will have the capability to process information stored on disks and diskettes produced on a particular software package. In addition, information stored on disks or diskettes may have a relatively short lifespan even if stored under the best conditions.

It is inadvisable for an office to forward permanent files stored on disks and diskettes to a repository. *Consequently, it becomes necessary for each individual office to determine what historically valuable information is being stored on its decentralized system and systematically to transfer this information to an archival storage medium. At present, this medium is paper or microfilm.* Nine-track magnetic tape is another such medium, should it become available as an alternative.

Generally, disposition guidelines for paper records in Chapter II may be applied to the same types of documents stored in a stand-alone system. In addition, all of the systems currently in use have some reporting capabilities which vary depending on the software available. At a minimum, most systems can produce file listings. These listings, of course, should be retained for as long as the diskette contains the files referenced. They also may have historical value, serving as a summarization of a particular file or as an index. As such, they must be appraised and perhaps designated a permanent record for the senator's collection.

It is best to identify permanently valuable information stored on disks and diskettes and any file listings *before* the system is operational. If the records manager waits, it may be too late and the information may be lost. An inventory form is provided in the following section to assist in this matter. Assistance in compiling the inventory is available from the Senate Historical Office.

Appropriate management techniques include:

☐ Inventory all automated files being or about to be processed by these systems. Keep the inventory current.

☐ Determine which files contain information that staff may need to consult at a later time or that is valuable for documenting the senator's career or the nature of the work performed in the office.

☐ Design a coding scheme to indicate historically valuable documents as they are entered (see "How to Inventory" section for discussion).

☐ Compile a comprehensive list of subject (index) terms that will be used by staff to assign a subject to each document as it is entered. (The *Legislative Indexing Vocabulary,* compiled by Shirley Loo, Congressional Research Service is a helpful reference. See Chapter VI, How to Create Subject Files and Subject Indexes.)

☐ Determine which of any available file listings are necessary for office use and which should be retained permanently.

☐ Establish procedures whereby permanently valuable information is transferred and retained on paper *before* it is erased.

☐ Assign responsibility for maintaining the diskettes and for transferring permanent information to paper or nine-track tape that is not software dependent.

☐ Determine how paper copies of permanent records generated from disks or diskettes will be filed within the office.

☐ Establish guidelines for reusing disks and diskettes.

☐ Broaden the office definition of sensitive records to include sensitive information stored on automated media. (For information on sensitive records see chapter IV.)

DISPOSITION GUIDELINES

The following section provides general guidance on the disposition of decentralized automated records including magnetic media purchased from private sources and office automation files. A discussion of electronic mail appears under Electronic Message/Mail Systems in the preceding section, "Centralized Systems," in this chapter.

Statistical File

(file containing individualized data)

Any information received or purchased by an office that will be used for statistical analysis purposes. Such information might include economic data, results of a constituent survey, etc. Final reports containing the statistical tabulation and analysis of findings together with a narrative description of the methodology employed should be considered permanent.

Retention: Possibly permanent.

Disposition: Prepare an inventory data sheet for the file. Maintain the file in the office until no longer needed to conduct current business and no longer needed for reference. An archivist from the senator's designated repository may be asked to appraise the automated file to ascertain its historical value. The archivist will consider: 1) the cost of storage and preservation; 2) the convenience of reference; and 3) the facility with which hard copy can be regenerated from the automated storage media. For detailed information about the appraisal of machine-readable records see Margaret L. Hedstrom, *Archives and Manuscripts: Machine-Readable Records,* The Society of American Archivists, Chicago, 1984.

Sample File

(file containing individualized data)

Includes informaton selected from a larger census or survey file, from a source outside the Senate and not available through the sources routinely maintained at the Senate Computer Center. Final reports containing the statistical tabulation and analysis of findings together with a narrative description of the methodology employed should be considered permanent. For guidelines concerning the disposition of data created by private sources, for example, scientifically designed constituent surveys, see "Guidelines for Use of Private Sources" at the end of this chapter.

Retention: Possibly permanent.

Disposition: Same as instructions for Statistical File.

Index File

Indexes or tracking files referencing paper or automated records within the office. *Note:* It is advisable to retain a final copy of any index on paper for convenience of reference. In addition, a repository might prefer to have certain indexes on paper.

Retention: Permanent, if the corresponding records are permanent. Also may be permanent if they summarize correspondence management, casework, or project files.

Disposition: Same as instructions for Statistical File.

Ad-hoc Letters and Memos

Unique or one-time only letters and memos drafted by the member or staff. (Remember, it is helpful to code the material according to its historical value and to index the document using an office list of approved subject terms as it is entered. See Chapter VI, How to Create Subject Files and Subject Indexes.)

☐ Letters deemed to be of historical value, including substantive correspondence with other members, the President, VIPs, agency officials, State officials, party officials, and committee staff. Such correspondence would document the member's views and opinions on legislative issues, his/her participation in the development and movement of legislation, and his/her status and role as a member of a political party.

Retention: Permanent.

Disposition: Periodically, either once a week or once every other week, the records manager should review the historical classifications for accuracy and systematically transfer permanent items to an archival storage medium. When two Congresses old, transfer to FRC/Repository.

☐ Routine letters deemed to be of no historical value including "information only" correspondence such as a response to a general request for information about an agency program.

Retention: Temporary.

Disposition: Periodically, either once a week or once every other week, the records manager should review the historical classifications for accuracy and authorize disposal.

Correspondence Management Files

Approved paragraphs or letters of text that are merged with constituent names and addresses to formulate a reply to high volume constituent mail. *Note:* As with CMS, it is advisable to retain a textual set of form paragraphs together with an index on paper. The textual set may be transferred to FRC/Repository with corresponding paper files.

Retention: Transitory, if a complete library of form paragraphs is retained on paper.

Disposition: Dispose or erase and reuse when superseded or updated *and* after ensuring that a complete set of reply paragraphs exists and is retained on paper.

Press Files

Files containing the text of press releases, speeches, newsletters, articles, columns, and related media information. *Note:* It is advisable to retain a copy of each type of press file on paper for convenience of reference and to ensure that a repository will be able to access such files. (Remember, all substantive drafts of speeches also should be retained for the permanent collection.)

Retention: Transitory, if a complete set of each type of record is retained on paper or microfilm.

Disposition: Dispose or erase and reuse when superseded *and* after ensuring that a complete set exists and is retained on paper or microfilm.

Schedules

Official Senate, Washington, DC, Home State, and Personal/Family schedules.

Retention: Permanent.

Disposition: Periodically transfer to an archival storage medium. Retain in office for current and previous year, then transfer to FRC/Repository.

Publication Files

Files containing the text of a document that is printed or published for wide distribution. *Note:* One copy of each publication is recommended for permanent retention.

Retention: Transitory.

Disposition: Dispose or erase and reuse when publication is produced and, as appr-priate, has been through one update or revision.

Administrative Files

Routine files such as office budgets and accounts, internal payroll information, notices of staff meetings, informal nonsubstantive memos.

Retention: Transitory.

Disposition: Prepare an inventory sheet for the file. Maintain the file in the office until no longer needed to conduct current business and no longer needed for reference. Disposition should follow that suggested for similar types of files as listed in Chapter II, Office Management Records.

Backup Files

Most decentralized files require periodic backup procedures. Refer to system documentation to determine the frequency of file backups.

Retention: Permanent, if original files are permanent. Temporary, if original files are temporary.

Disposition: Retain or dispose as provided for the related original files.

Electronic Message/Mail

Communiques that can be transmitted electronically. For a full discussion see "Electronic Mail," in the Centralized Systems section of this chapter.

☐ Memos between the senator and senior staff or between senior staff that must be retained for future reference.

Retention: Permanent.

Disposition: Prepare an inventory sheet. After viewing, transfer to paper or other archival storage medium and maintain in the office until no longer needed to conduct current business.

☐ Routine administrative memos and messages.

Retention: Transitory.

Disposition: Dispose when no longer needed.

System/File Documentation

Includes records required for entering information into an automated system, operating the system, maintaining specific application of ADP systems, and converting the information back to human-readable form. Generally, the disposition of documentation is linked to the disposition of the related automated file. Documentation includes the following:

File Specifications

Includes definitions of the logical and physical characteristics of each record, element, or item of data in the file; relative position, form, format, and size of data elements (record layout); codes used; cross-reference code manual; security and privacy restrictions; validity characteristics; update and access conditions; recording medium and volume; and sample copy of each input/source document.

Retention: Permanent, if related magnetic media file is permanent. Temporary, if related magnetic media file is temporary.

Disposition: If permanent, retain with related data file. (May need to obtain such information from the vendor. Attach to survey sheet.)

User Guides

Includes handbooks and guides that describe the functions of the system and detail the preparation of input data and interpretation of results.

Retention: Permanent, if related magnetic media file is permanent. Temporary, if related magnetic media file is temporary.

Disposition: If permanent, retain with related data file.

Output Specifications

Includes descriptions of products of the system that are to be used outside the computer center, such as listings of each type of output by title and tag, format specifications, selection criteria, volume and frequency, media, graphic displays and symbols, security and privacy conditions, and disposition of output.

Retention: Permanent, if related magnetic media file is permanent. Temporary, if related magnetic media file is temporary.

Disposition: If permanent, retain with related data file.

Information Retrieval

Series of machine instructions designed to retrieve information from specific data systems which are:

☐ For general purpose programs (those centralized at the Senate Computer Center).

Retention: Transitory.

Disposition: Dispose of when no longer needed.

☐ For special purpose programs.

Retention: Permanent, if related magnetic media file is permanent.

Disposition: If permanent, transfer to repository so that the file can be converted to a fixed-field format.

HOW TO INVENTORY AUTOMATED RECORDS

OBJECTIVES

To ensure that information created and maintained on magnetic media is retained accurately and in compliance with an office disposition plan, it is important to develop a current inventory of these media. The inventory can provide a basis for assigning disposition. All files in an office should be inventoried. The following descriptive elements are necessary:

☐ The names and titles of the people using the files.
☐ The titles of the systems and files.
☐ Purpose in creating the file.
☐ Description of the information in the file.
☐ Inclusive dates of the records.
☐ Special prefixes, suffixes, or special characters to indicate historically valuable documents.*
☐ For records of long-term value, certain technical information to be supplied by the vendor. This will be necessary for future use by the office or the senator's designated repository (if the file is to be preserved in automated format).

FREQUENCY OF INVENTORY

The inventory should be kept up to date and should cover all automated systems in use including electronic mail. It must be kept current so that appropriate disposition of the files and/or the information can be assigned before it is erased and determinations concerning reuse of disks and diskettes can be made. The following inventory form is provided for your convenience.

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*Note: When establishing a filing scheme, it may be helpful to create a special coding scheme to indicate historically valuable documents *as they are entered into the system.* For example, special characters such as a symbol or letter placed in front of a speech or schedule file in the index would be an easy method of identifying these documents as historically valuable. These characters also could be used to indicate certain subject (index) terms as permanently valuable for files containing "ad hoc" letters or replies to issue mail. Files containing staff memos to or from the senator should also be coded for permanent retention and indexed.

UNITED STATES SENATE
INVENTORY OF AUTOMATED RECORDS

Office:
Date of Inventory:
Staff Member Completing Form:

Check One Category Per Sheet

Centralized System	Decentralized System	Purchased Or Contractor Created
CMS	Data General	
ATMS	Honeywell	
Mail File	Prime	
Indexing	Other:	
Mailbox		

Primary System User:
Other Staff Using System:
Purpose of the System:

Software Packages in Use and Available Reports:

Summary of Information Contained on the Tape, Diskette, or Disk (indicate whether or not the information is sensitive). Attach samples of the information:

Date Range of Information on the Tape, Diskette, or Disk:

How is the Information Arranged on the Media (name, date, city order, or random):

How is Historically Valuable Information Marked on the Media (by special Prefix, Suffix, Special Characters):

Recommended Retention

Reusable Magnetic Medium—If so, when?

Permanent—for *centralized* systems, determine which reports are to be requested from SCC and assign disposition. May wish to attach a list of reports selected for permanent retention to this form; for *decentralized* systems that are software dependent, transfer to paper or other archival storage medium before reusing the storage media. If media is a magnetic tape, attach a list of subject terms used for indexing the documents stored on the tape and consult respository archivist to ascertain what computer facilities are available at the respository.

PHYSICAL DOCUMENTATION AND MAINTENANCE OF AUTOMATED RECORDS

TECHNICAL DOCUMENTATION

Automated records must be electronically processed for decoding and printing before they can be viewed by people. For the computer to accurately process these records, certain technical documentation must be provided to the staff of a repository responsible for processing automated records. The technical documentation should include:

- ☐ The type of magnetic media being used by the office, either diskette, disk, or tape.
- ☐ The size of the media, such as a 5¼″ or 8″ diskette.
- ☐ If disk or diskette—the brand of machine, name of system operating the machine, and if appropriate, the name of the software used to create the records.
- ☐ The layout and format of the information on the media. The layout indicates where information is located on the media, and the format indicates how the information is stored on the media.

MANUFACTURERS GUIDELINES

Magnetic media are extremely fragile and, without special precautions, may easily become damaged or destroyed. To avoid damaging records within the office's automated files, it is imperative that office management establish standard procedures for handling these media by consulting with the vendor about the manufacturer's suggestions for physical maintenance. These procedures should be developed before the office begins using any stand-alone system. Many manufacturers will provide paper jackets and storage boxes for diskettes.

OFFICE GUIDELINES

Once manufacturer's guidelines for media maintenance have been obtained, the office management should establish procedures for handling and storing magnetic media within the office. Consideration should be given to:

- ☐ *Library for Storing Diskettes and Disks*—It is important for each office to establish a library for storing magnetic media. Ideally, this library should be located in a room with a constant temperature of around 70 degrees and a humidity factor of 50 percent.
- ☐ *Location of Library*—The library should be located in a central location within the office to allow for easy access by all staff to the diskettes and disks. Depending on what is stored on the media, it may be necessary to consider security measures for the diskettes and disks. One way this could be accomplished is to store the media in a locking file cabinet or desk drawer. Because several staff may need to use the diskettes and disks, it would be helpful to maintain an index to the file cabinet or desk drawer. The record inventory form could be used as the index to the information.
- ☐ *Guidelines for Use*—For the staff who operate the system, there are some general guidelines that should be observed when handling the diskettes or disks:

  When not in use, keep the media away from other electrical equipment in the office.

  Avoid placing diskettes or disks near metal and magnetic objects. Even the slightest contact with a magnetic object could cause the information stored on the media to become altered or erased.

  Do not put rubber bands, paper clips, or adhesive tape on the media. The manufacturer should provide special labels for marking the diskettes and disks.

  Do not place the media in direct sunlight or close to a heating outlet. Heat may warp the diskettes or disk, and possibly damage the information contained on the media.

  Avoid drinking, eating, and smoking around the equipment and the storage media.

  Remember to put the diskettes back in their jackets and boxes after use.

  Do not place anything heavy or dusty on the diskette or disk. A bent or scratched diskette will be of little use to the office.

  At the end of the day, file the diskettes or disks vertically in the office library.

GUIDELINES FOR USE OF PRIVATE SOURCES

CONTRACTING

As a general policy, members of the Senate are not able to employ consultants in their own offices. However, senators' campaign committees frequently hire a consultant to assemble and operate complex data bases containing data that identifies voters, contributors, or key interest groups. These data bases, which are the property of the campaign committee, can be rich sources for statistical research and quantitative studies. Every effort should be made to preserve such records for eventual deposit with the senatorial collection.

To help ensure the preservation of these records, which are not part of the senator's office collection* but which strongly complement the collection, campaign committees should be advised to consider the following points when they contract for the creation of the data base. Such contracts should:

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*Standing Rule XL prohibits members from storing, maintaining, or processing a data base at the Senate Computer Center which

☐ Establish, the campaign committee's right to access the data base, including the individual records used to create the data base.

☐ Establish the campaign committee's right to receive the magnetic tapes in a code and format specified. This is particularly important if the files are judged to have long term (over five years) or historical value. Preferably, the magnetic media should be in a standard format, and it should be software independent.

☐ Establish proper storage conditions for any tape to be maintained permanently. In addition to ADP standards routinely used by all processing centers, contractors should be instructed to:

1) Test and certify the storage media no more than six months before using them to record information designated for archival retention.

2) Verify newly written tapes as error free.

3) Label tapes externally so valuable information can be easily identified. These should include general information such as file title(s), dates of coverage, and date the tape was created. Technical information should include the recording density; type of internal labels, if applicable; data set name, if applicable; volume serial number; and reel number, if the file is part of a multi-reel set.

4) Store tapes vertically in clean protective canisters.

5) Maintain adequate and up-to-date technical documentation with the file. Minimum documentation should include a narrative description of the file(s); physical file characteristics; recording mode information, including the coding structure (code books); recording system information; and a record layout. The layout should break down the file by fields. Each field will have a name, starting position, and a description of the form of the data (alphabetic, zoned decimal, packed decimal, or numeric).

6) Keep a duplicate copy of the data at an off-site location for security backup.

CONVERSION TAPE PURCHASES

If offices decide to purchase magnetic tapes from a commercial or non-commercial source for purposes of adding names and addresses to their mailing lists, they should contact the Senate Computer Center, Educational Services Division, before purchasing the tapes. Educational Services Division staff provide consultations on the technical specifications required by the Computer Center to process any tape from an outside source.

LEASED ELECTRONIC MESSAGE SYSTEMS

Compatability of hardware, software, and communications must be considered by offices considering leased electronic messaging systems. Software from many messaging systems is usually compatible, or can be made so, to operate on a particular system.

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would identify names listed on the data base as campaign workers, contributors, members of a political party, or by any other partisan designation.

EXHIBIT 3-1

CORRESPONDENCE MANAGEMENT SYSTEM

OFFICE: SENATOR JONES

ABSTRACT REPORT

R02

Sorted By Topic
Date of Listing: OCT-04-82

Page 1

TOPIC	SUBTOPIC	ITEM NUMBER	SYNOPSIS	UPDATED
Close		4	Disagree on issue	JAN-07-82
Close		5	Thank you again; keep in touch	JAN-07-82
Close		6	Thank you again	JAN-07-82
Close		7	Good to hear from you; keep informed of activities	JAN-07-82
Close		9	Call on me, look forward to hearing from you	JAN-07-82
Intro		1	Fi subj. of letter; Thanks for letter, happy to know views	JAN-07-82
Intro		2	Fi date of letter; Thanks for bringing matter to attention	JAN-07-82
Intro		3	Fi date of letter; Thanks for letter	JAN-07-82
Intro		8	Fi publication name; Thanks for publication	JAN-07-82
Intro		23	Fi subj. of letter; Thanks for expressing support	JAN-07-82
Intro		24	Fi subj. of letter; Thanks for expressing opposition	JAN-07-82
Intro		26	Thanks for responding with info needed	JAN-07-82
Academy	Acceptance-congrat	28	WI, fi academy name	APR-09-81
Academy	Application sent	40	WI, fi date, city—receipt of folder	APR-09-81
Academy	Intitial forms	39	WI, fi academy—ack to candidate, enc info package	APR-09-81
Academy	Sponsor	38	Fi const name, academy, he she; thanks for letter for candidate.	APR-09-81
Congress	Privileges of office	46	Senate spending, communicating with constituents	JAN-07-82
Energy	Public utilities	13	Fi county—adverse impact elec. serv. in counties	JAN-07-82
Energy	Synthetic fuels-con	15	Support industry efforts to produce fuels	JAN-07-82
Energy	Synthetic fuels-pro	42	Support industry efforts to produce fuels	JAN-07-82
Environment	Solids waste	16	Apprec. learning concern about solid waste management	JAN-07-82
Environment	Solid waste	17	Newspaper disposal	JAN-07-82
Housing	Rent control	22	Support local rent control, I agree completely	JAN-07-82
Interior	National parks	20	Green Valley strip mining	JUN-01-80
Interior	National parks	47	Ban strip mining and protect wildlife sanctuaries	JAN-07-82
Postal service	General	10	Fi P.O. name, has intro-closing of P.O., S. 3082	JAN-07-82

EXHIBIT 3-2

OFFICE: SENATOR JONES

ABSTRACT REPORT

R01

Sorted By Item
Date of Listing: OCT-04-82

Page 1

TOPIC	SUBTOPIC	ITEM NUMBER	SYNOPSIS	UPDATED
Intro		1	Fi subj. of letter; Thanks for letter, happy to know views	JAN-07-82
Intro		2	Fi date of letter; Thanks for bringing matter to attention	JAN-07-82
Intro		3	Fi date of letter; Thanks for letter	JAN-07-82
Close		4	Disagree on issue	JAN-07-82
Close		5	Thank you again; keep in touch	JAN-07-82
Close		6	Thank you again	JAN-07-82
Close		7	Good to hear from you; keep informed of activities	JAN-07-82
Intro		8	Fi publication name; thanks for publication	JAN-07-82
Close		9	Call on me, look forward to hearing from you	JAN-07-82
Postal service	General	10	Fi P.O. name, has intro—closing of P.O., S. 3082	JAN-07-82
Taxes	Marriage penalty	11	Enc—single and married tax differences	SEP-17-82
Energy	Public utilities	13	Fi County—adverse impact elect. serv. in counties	JAN-07-82
Wildlife	Animal abuse	14	Soring of horses	JAN-07-82
Energy	Synthetic fuels-con	15	Support industry efforts to produce fuels	JAN-07-82
Environment	Solid waste	16	Apprec. learning concern about solid waste management	JAN-07-82
Environment	Solid waste	17	Newspaper disposal	JAN-07-82
Public activities	Congrats from senator	18	WI, short—naturalization	JAN-07-82
Public activities	Congrats from senator	19	WI, short, fi occasion—for example, 75th birthday	JAN-07-82
Interior	National parks	20	Green Valley strip mining	JAN-01-80
Housing	Rent control	22	Support local rent control, I agree completely	JAN-07-82
Intro		23	Fi subj. of letter.; Thanks for expressing support	JAN-07-82
Intro		24	Fi subj. of letter.; Thanks for expressing opposition	JAN-07-82
Intro		26	Thanks for responding with info needed	JAN-07-82
Academy	Acceptance-congrat	28	WI, fi academy name	APR-09-81
Academy	Sponsor	38	Fi const name, academy, he she; thanks for letter for candidate.	APR-90-81
Academy	Initial forms	39	WI, fi academy—ack to candidate, enc info package	APR-09-81
Academy	Application sent	40	WI, fi date, city—receipt of folder	APR-09-81

EXHIBIT 3-3

OFFICE: SENATOR

OFFICE MANAGEMENT WEEKLY REPORT

Correspondent's Output
Date: Sep-18-82

AIDE	TOTAL QUANTITY	PERCENT OF TOTAL OUTPUT	ISSUE	CASE	TYPE OF DOCUMENT			ADMIN	MISC	SINGLES CMS LET	PRODUCTION METHOD		CASE	UNKNOWN
					PROJECT	INVITATION	REQUEST				GROUPS CMS LET	DATA		
CJL	1,377	22.83	1,370	0	1	0	0	0	6	8	1,369	0	0	0
GS	1,074	17.81	1,074	0	0	0	0	0	0	43	1,031	0	0	0
PB	2,548	42.24	1,849	0	0	0	0	0	699	3	2,545	0	0	0
SB	65	1.08	61	0	1	0	0	0	3	65	0	0	0	0
YCB	4	.07	0	0	0	0	0	0	4	0	0	0	4	0
YEK	52	.86	0	52	0	0	0	0	0	0	0	0	52	0
YLL	36	.60	0	0	0	0	0	0	36	0	0	0	36	0
YRS	10	.17	0	10	0	0	0	0	0	0	0	0	10	0
ZFN	71	1.18	0	44	0	0	0	0	27	0	0	0	71	0
ZHB	16	.27	0	0	0	0	0	0	16	0	0	0	16	0
ZID	65	1.08	0	42	0	0	0	0	23	0	0	0	65	0
ZLW	670	11.11	0	24	0	0	0	0	646	0	0	0	670	0
ZM	1	.02	0	1	0	0	0	0	0	0	0	0	1	0
ZMB	43	.71	0	29	0	0	0	0	14	0	0	0	43	0
Totals	6,032	100.00	4,354	202	2	0	0	0	1,474	119	4,945	0	968	0

EXHIBIT 3-4

CORRESPONDENCE MANAGEMENT SYSTEM

OFFICE OF SENATOR

DAILY HISTORY REPORT

Sorted By
Office Location, Disposition and Document Number
Date of These Letters: JAN-11-80 - 12:00 M ..

Page 1

DOCUMENT NUMBER	AIDE'S INITIALS	CONSTITUENT NAME	TOPICS DISCUSSED IN LETTER (REFER TO CATALOG)
0011012001	AB	Dabbs, W. E., Mr., Jr	Energy/oil.
0011012002	AB	Rogers, Herbert G., Mr	Energy/prices.
0011012003	AB	Price, Alfred L., Mr	Energy/natural gas.
0011052001	KB	Haggard, Dee, Mr	Request/tour.
0011052002	KB	Landrieu, Moon, Honorable	Request/general.
0011052003	KB	Griffin, Jim, Mr	Employment/office.
0011072001	PW	Lingle, Robert, Mr	Health/hospital cost containment.
0011072002	PW	Horvath, Frank, Mr	Public welfare/social security.
0011072003	PW	Watts, James, Mr	Banking/mortgages.
0011072004	PW	McKeever, Joe N., Reverend	Taxes/exemptions.
0011011001	JB	Manderson, C. L. Mr	397.
0011011002	JB	Aregood, Charles E., Mr. and Mrs	0, 45, −345, 42.
0011011003	JB	Berryhill, P. Lamar, Mr	−345, 121, 393, 42.
0011011004	JB	Canizaro, James T., Mr and Mrs	0, −345, −121, 79, 42.
0011011005	AB	Mitchell, Roy L., Mr	247, −84, 7.
0011011006	AB	Fowler, Donald C., Mr	Natural resources/Alaska lands-con, 2, −224, 0, 0.
0011011007	AB	Bateman, Thomas S., Mr	Energy/international, 2, 0, 0, 236.
0011011008	AB	Walton, Lillian Mrs	Energy/prices, 2, 0, 236.
0011011009	PW	Pritchard, H. O., Mr	2, 0, 113, 401, 174, 0, 42.
0011011010	PW	Buie, Mabel P., Ms	2, 0, 113, 401, 174, 0, 42.
0011011011	PW	Porter, H. C., Mr	2, 0, −174, −401, 42.
0011011012	PW	Morris, William H., Mr., Jr	Public welfare/social security, 2, −338, 0, 209.
0011011013	PW	Hunter, R. K., Mr. Sr	Public welfare/social security, 2, −338, 0, 209.
0011011014	PW	Boni, Frederick, Mr	Taxes/exemptions, 2, −338, 0, 209.
0011011015	PW	Corban, Bob, Mr	2, 0, 328.
0011051001	BH	National Live Stock	258.
0011051002	BH	Wilkinson, Donald E., Mr	258.
0011051003	BH	Fowler, Doss, Mr	23.

EXHIBIT 3-5

OFFICE: SENATOR

OFFICE MANAGEMENT WEEKLY REPORT

Frequency of items
Week Ending: Sep-18-12

FREQUENCY COUNT	ITEM NUMBER	TOPIC OF THIS ITEM	SUBTOPIC OF THIS ITEM
1,369	1,299	Jud sys-crime	Pro Mcclure bill.
706	311	Intro	
642	3010	ZACADEMY	ZNAVAL.
512	2344	Education	Student aid.
485	964	Gen acknow	Thoughtful presentation.
467	2209		Hobbs act.
287	2998	Econ-bus-finan	Deductability of interest.
246	1888	Intl relations	Nuclear freeze.
231	839	Education	Education department.
181	2888	Taxes	Safe harbor leasing provisions.
136	1287	Econ-bus-finan	Excise taxes.
135	2815	Education	Con ed budget cuts.
110	2807	Econ-bus-finan	Modified coinsurance.
72	3056	Steel	Steel import resolution.
66	654	ZCONINIT	
63	611	ZAGENCY REFERRAL	
28	1285	Employment	Ceta.
27	535	UCONSTACKNOLWLEDGEMENT	YFINAL.
22	219	Gen acknow	Acknowledgment.
16	3077	ZIMMIG	ZVISAS.
14	507	YAGENCYBUCK	YREPLYREQUESTED.
14	531	YCONSTACKNOLWLEDGEMENT	YCONTACTEDAGENCY.
14	561	YCONSTACKNOWLEDGEMENT	YINTERIM.
11	656	ZCONST LET	
9	589	ZACAD	ZACK SUP.
9	620	ZCONST	ZFINAL.

EXHIBIT 3-6

CORRESPONDENCE MANAGEMENT SYSTEM

OFFICE: SENATOR

OFFICE MANAGEMENT WEEKLY REPORT

Frequency of Items
Sorted By Topic
Week Ending: Sep-18-82

FREQUENCY COUNT	ITEM NUMBER	TOPIC OF THIS ITEM	SUBTOPIC OF THIS ITEM
467	2209		
1	3009	YAGENCY BUCK	Hobbs act.
8	504	YAGENCY BUCK	
2	506	YAGENCY BUCK	YREPLY REQUESTED.
14	507	YAGENCY BUCK	YREPLY REQUESTED.
2	508	YAGENCY BUCK	YREPLY REQUESTED.
5	709	YAGENCY BUCK	YSUPPORT.
7	710	YAGENCY BUCK	YREPLY REQUESTED.
4	711	YCONSTACKNOW	YREPLY REQUESTED.
4	712	YCONSTACKNOW	YAWAITINGRESPONSE.
1	927	YCONSTACKNOW	YAWAITINGRESPONSE.
1	528	YCONSTACKNOWLEDGEMENT	YFAVORABLE.
14	531	YCONSTACKNOWLEDGEMENT	YUNFAVORABLE.
4	533	YCONSTACKNOWLEDGEMENT	YCONTACTEDAGENCY.
27	535	YCONSTACKNOWLEDGEMENT	YINTERIM.
2	547	YCONSTACKNOWLEDGEMENT	YFINAL.
1	553	YCONSTACKNOWLEDGEMENT	YAGENCYCONTACTED.
2	556	YCONSTACKNOWLEDGEMENT	YUNFAVORABLE.
4	559	YCONSTACKNOWLEDGEMENT	YEMPLOYMENT.
14	561	YCONSTACKNOWLEDGEMENT	YWATITINGRESPONSE.
7	563	YCONSTACKNOWLEDGEMENT	YINTERIM.
5	579	Z GEN ACK	YFINAL.
2	580	Z PRIACT	Z FUR INQ.
1	584	ZACAD	ZADD INF.
9	589	ZACAD	ZMIL.
			ZACK SUP.

EXHIBIT 3-7

OFFICE: SENATOR

OFFICE MANAGEMENT WEEKLY REPORT

Operator Entries
Week Ending: Sep-18-82

Operator	Number		Letters per hour	Number		Number addr	Addr per hr	Number cases			Total entries
	Group composed	Single composed		Data entry	Entries per hour			Letters	Data entries	Entries per hour	
01	0	0	0	0	0	0	0	0	0	0	0
02	0	0	0	0	0	0	0	0	0	.00	0
04	321	0	3,140.21	0	0	31	28.91	244	3	73.62	599
05	0	0	0	0	0	318	101.84	0	0	0	318
07	0	0	0	0	0	0	0	0	0	0	0
08	0	0	0	0	0	0	0	0	0	0	0
09	782	0	1,513.54	0	0	0	0	0	0	0	782
11	0	0	0	0	0	1,275	72.14	0	0	0	1,275
12	0	0	0	0	0	0	0	0	0	0	0
14	337	0	1,270.36	0	0	5	31.85	204	1	51.10	205
22	0	0	0	0	0	174	102.53	140	2	113.85	484
23	0	0	0	0	0	232	63.92	0	0	0	174
27	0	0	0	0	0	0	0	0	0	0	232
33	3,115	0	1,342.51	0	0	1,085	85.78	0	0	0	0
44	1,579	126	252.83	0	0	972	116.39	0	0	0	4,200
66	0	0	0	0	0	0	0	0	0	0	2,677
67	0	0	0	0	0	0	0	0	0	0	0
80	0	0	0	0	0	0	0	0	0	0	0
88	0	0	0	0	0	35	59.82	0	0	0	0
											35
Total	6,134	126	628.26	0	0	4,127	84.33	588	6	68.96	10,981

EXHIBIT 3-8

OFFICE: SENATOR

TICKLER REPORT

Date of Report: SEP-18-82

The following items, sorted in order of the due date you assigned, are listed as pending cases. Please report any closed or incorrect items to the Correspondence Management System Specialist.

Aide: GS

Page 1

DOCUMENT NUMBER	CONSTITUENT OR OTHER PARTY	DATE ENTERED	DUE DATE FOR REPLY	REFERRED TO	SUBJECT OF REFERRAL
2078051016	Ravel, Francis, Mr	MAR-19-82	APR-19-82	DOJ	Anti-trust.
2097221023	Reiniger, Lewis D., Mr	APR-07-82	MAY-07-82	USTR.Commerce	Flower trade.
2125091042	Little, W. F. Mrs	MAY-05-82	JUN-01-82	DOD	Recruiting.
2125091041	Bardo, Holli, Ms	MAY-05-82	JUN-02-82	White House	Press leaks.
2146441042	Klipstein, Donald L., Mr	MAY-26-82	JUN-27-82	VP Task Force	Reg Reform.
2158441119	Bell, Robert H., Mr	JUN-07-82	JUL-01-82	Metro	Steel rail.
2158441144	Csink, Rudolf, Mr	JUN-07-82	JUL-07-82	GAO	Bid.
2181441134	Best, Raymond M., Mr	JUN-30-82	JUL-20-82	DOD	Set aside policies.
2181441145	Conor, Bernard E., Mr	JUN-30-82	JUL-20-82	USTR	Japanese balls.
2228441005	Cahill, Linda, Mrs	AUG-16-82	SEP-16-82	DOD	Women-army.
2228441001	Constantine, Eugene, Mr	AUG-16-82	SEP-16-82	USTR	Eggs.
2228441006	Harkins, Edward J., Mr	AUG-16-82	SEP-16-82	DOE	Nat. gas.
2228441004	King, William F., Mr, Jr	AUG-16-82	SEP-16-82	DOD	F-16.
2228441007	Moore, Richard H., Mr	AUG-16-82	SEP-16-82	Commerce	Steel.
2228441002	Richards, Richard, Mr	AUG-16-82	SEP-16-82	DLA	Procurement.
2228441008	Spiegel, Harvey B., Mr	AUG-16-82	SEP-16-82	IRS	FICA.
2228441003	Steinpres, Jerry, Mr	AUG-16-82	SEP-16-82	USTR	Poultry.

EXHIBIT 3-9

OFFICE: SENATOR

OFFICE MANAGEMENT WEEKLY REPORT

TICKLER MANAGEMENT STATUS
WEEK ENDING: SEP-18-82

AIDE	NEW TICKLERS THIS WEEK	PENDING OPEN TICKLERS	TICKLERS CLOSED THIS WEEK	MEAN LIFE (DAYS) OF PENDING TICKLERS	MEAN LIFE (DAYS) OF CLOSED TICKLERS
BR	0	6	0	130	0
CJL	1	1	0	3	0
CL	0	1	0	11	0
DT	0	2	0	178	0
GS	0	17	0	81	0
PB	0	57	0	129	0
SB	7	20	1	93	28
SP	0	1	0	335	0
Total/averages	8	105	1	115	28

EXHIBIT 3-10

CORRESPONDENCE MANAGEMENT SYSTEM

OFFICE: SENATOR

OFFICE MANAGEMENT WEEKLY REPORT

Topic Breakdown
Week Ending: Sep-18-82

	COUNT OF TIMES USED	PERCENT OF ALL TOPICS/SUBTOPICS USED THIS PERIOD
10 Most Freq. Used Substantive Topics		
1. JUD SYS-CRIME	2,037	20.22
2. ZCounty	1,301	12.91
3. Education	924	9.17
4. Labor	739	7.33
5. Zacad	661	6.56
6. Zacademy	642	6.37
7. Gen Acknow	559	5.55
8. Jud Sys—Crime	536	5.32
9. Econ-Bus-Finan	535	5.31
10. Government	478	4.74
Total of 10 Topics	8,412	83.49
Total substantive topics used	10,076	
11 Most Freq. Used Substantive Subtopics		
1. Pro McClure bill	1,369	13.88
2. Baft	699	7.08
3. ZNavapp	642	6.51
4. ZNaval	642	6.51
5. ZClosed	642	6.51
6. Pro McClure bill—S. 1030	536	5.43
7. Student aid	512	5.19
8. Thoughtful presentation	485	4.92
9. Union violence	467	4.73
10. NEG funding	395	4.00
11. Zinre	382	3.87
Total of 11 subtopics	7,095	80.03
Total substantive subtopics used	9,866	

EXHIBIT 3-11

OFFICE: SENATOR

OFFICE MANAGEMENT QUARTERLY REPORT

Unused Items
Period Ending: Dec-31-80

AIDE	ITEM	TOPIC OF THIS ITEM	SUBTOPIC OF THIS ITEM
ACQ	692	Case referral	No jurisdiction.
	695	Case referral	No jurisdiction.
	696	Case referral	No jurisdiction.
	698	Case referral	No jurisdiction.
	699	Case open	Info needed.
	700	Case open	FOI Act request.
	1009	PA	Thank you from Sen.
ALM	680	Project buck	Agency contact neutral.
	709	Project	Agency inquiry neutral.
AWG	707	Case close	Agency response favorable.
CN	459	Transportation	Safety.
	460	Energy	Gasoline.
	472	Energy	Gasoline.
	492	Energy	General.
	493	Energy	Oil.
	503	Energy	Oil.
	514	Energy	Carter proposal—con.
	517	Energy	Oil.
	528	Energy	Conservation.
	529	Energy	Transportation.
	539	Energy	Conservation.
	545	Energy	General.
	572	Energy	Decontrol.
	574	Energy	Conservation.
	599	Energy	Gasoline.

EXHIBIT 3-12

CORRESPONDENCE MANAGEMENT SYSTEM

OFFICE OF SENATOR

WEEKLY HISTORY REPORT

Sorted By Aide's Initials
Week of These Letters: SEP-12-82
To: SEP-18-82

Page 164

DOCUMENT NUMBER	AIDE'S INITIALS	CONSTITUENT NAME	TOPICS DISCUSSED IN LETTER (REFER TO CATALOG)
SEP-14-82			
2257441001	SB	Anderson, J., Mr.	Intl relations/Lebanon, 203.
2257441002	SB	Parker, Elizabeth, Mrs.	Government/von Steuben, 203.
2257441003	SB	Stoudt, Harold, Mr. and Mrs.	Government/von Steuben, 203.
2257441004	SB	Mason, Paul Bailey, Mr.	Government/von Steuben, 203.
2257441005	SB	Kildare, Harrison G., Mr.	Health/medicare, 203.
2257441006	SB	Lauer, Stewart E., Mr. and Mrs	2822.
2257441007	SB	Sauder, Timothy G., Mr.	Health/abortion, 219.
2257441008	SB	Lund, Mile, Mr.	Environment/safe water, 311, 45.
2257441009	SB	Mueller, Carol J., Ms.	Health/redo, 2939.
2257441010	SB	Yaworsky, John S., Mr.	Intl relations/redo, 964.
2257441011	SB	Coshorl, Louis M., Mr.	Environment/redo, 217.
2257441012	SB	Butler, Daniel N., Mr.	Intl relations/redo, 213.
2257441013	SB	Zinman, Philip N., Mr.	Intl relations/redo, 318, 0, 45.
2257441014	SB	Steytler, Anne W., Ms.	Intl relations/redo, 171.
2257441022	SB	Rhoads, Jonathan E., M.D.	2824.
SEP-15-82:			
2258441001	SB	Parker, Ellen, Ms.	2703.
2258441002	SB	Hottinger, Janis Lyn, Ms.	2703.
2258441003	SB	Foster-Forbes Glass Company	Environment/soda ash, 964.
2258441004	SB	Marino, Vincent L., Mr.	Environment/acid rain, 217.
2258441005	SB	O'Hara, Robert D., Mr.	Environment/acid rain, 217.
2258441006	SB	Gregas, Norman P., Mr.	Environment/clean water, 217.
2258441007	SB	Cawthern, Robert D., Mr.	Environment/clean water, 217.
2258441008	SB	Knohr, Joseph, Mr.	Environment/clean water, 217.
2258441009	SB	Wagner, Ronald D., Mr.	Environment/clean water, 217.

EXHIBIT 3-13

OFFICE OF SENATOR

WEEKLY HISTORY REPORT

Sorted By Constituent
Week of These Letters: SEP-12-82
To: Sep-18-82

Page 67

CONSTITUENT NAME	DOCUMENT NUMBER	AIDE'S INITIALS	TOPICS DISCUSSED IN LETTER (REFER TO CATALOG)
Hintz, Raymond V., Mr., Jr	2260444496	GS	-1287.
Hipner, E. M., Mr	2260443038	PB	839.
Hippensteel, Walter, Mr.	2257093453	COL	Jud sys-crime/pro McClure bill—S. 1030, 1299.
Hitt, J., Mr.	2260334177	PB	Government/neh funding, 964.
Hittinger, Wayne, Mr	2257093763	CUL	Jud sys-crime/pro McClure bill—S. 1030, 1299.
Hively, Eugene E., Mr	2257093483	CUL	Jud sys-crime/pro McClure bill—S. 1030, 1299.
Hixon, L. E., Mrs.	2260333807	PB	Labor/union violence, 2209.
Hixson, Jeffrey T., Mr.	2232140001	ZLW	ZACAD/ZNAVAPP, 3010.
Hixson, Jeffrey T., Mr.	2232140001	ZLW	ZACAD/ZNAVAPP, 3010.
Hixson, Roy, Mr.	2260443637	PB	Jud sys-crime/baft, 311, 0.
Hixson, Roy, Mr.	2260443637	PB	Jud sys-crime/baft, 311, 0.
Hizray, Dorothy, Ms.	2260443542	PB	2344.
Hnatko, Robert, Mrs.	2260333192	PB	2344.
Hoag, Earl A., Mr.	2260334460	PB	Jud-sys-crime/baft, 311.0.
Hoag, Earl A., Mr.	2260333777	PB	Labor/union violence, 2209.
Hoag, Earl A., Mr.	2260333905	PB	Government/neh funding, 964.
Hoban Robert C., Mr.	2260333941	PB	Government/neh funding, 964.
Hobbs, Howard, Mr.	2260334382	PB	Jud-sys-crime/baft, 311, 0.
Hobdey, Ralph H., Mr.	2260334790	GS	2998.
Hodge, John, Reverend	2258333074	PB	Government/federal funds to liberal groups, 964.
Hodsoll, Frank S. M., Chairman	2257120004	YLL	YCAMBRIA/YGRANTS, 504, 0, 710.
Hoefer, Robert J., Mr.	2260334605	GS	2807.
Hoeller, Mary, Ms.	2260444422	GS	-1888.
Hoezee, Ross A., Mr.	2260334907	GS	2998.
Hoffer, Robert C., Mr.	2257333346	CUL	1299.
Hoffman, David C., Mr.	2260334921	GS	2998.
Hoffman, Edward F., Mr	2260333710	PB	Labor/union violence, 2209.
Hoffman, Jeff, Mr.	2260444155	GS	2888.

LIBRARY ITEM ENCYCLOPEDIA FOR SENATOR JONES *(Selected Samples)*

ITEM #: 10 ( )

fi P.O. name, has intro—closing of P.O., S.3082

TOP/SUBTOPIC (1): postal service/general
TYPE OF DOC.: issue
CREATE DATE: JAN-07-82
UPDATE DATE: JAN-07-82
AIDE: MJM PCD: RT

Thank you for your recent letter concerning the closing of the $$insert name of post office$$ Post Office.

Under the Postal Reorganization Act, the Postal Service is an independent agency free from government control. However, I am concerned about the financial dilemma of the Postal Service and many of the small post offices in our state. Because of this, I am co/sponsoring with Senator Smith S.3082, a bill which would require the Postal Service to conduct a public hearing and to allow patrons to present their views before any decision is made to close a post office.

ITEM #: 16 ( )

support local rent control, I agree completely

TOP/SUBTOPIC (1): housing/rent control
TYPE OF DOC.: issue
CREATE DATE: JAN-07-82
UPDATE DATE: JAN-07-82
AIDE: MJM PCD: UM

I agree with you completely that rent control offers immediate protection against the rapidly rising rent costs, particularly to those on fixed incomes. However, I feel Federal control may only create more Federal bureaucracy and may not properly meet the individual's needs.

Therefore, where rent control is concerned, I feel it is the responsibility of the local government rather than the Federal government. I suggest you discuss this matter with your local representative. I do feel senior citizens and others on fixed incomes need assistance from the Federal government in meeting their housing needs. I assure you, I will support any legislation in this area.

ITEM #: 22 ( )

apprec. learning concern about solid waste management

TOP/SUBTOPIC (1): environment/solid waste
TYPE OF DOC.: issue
CREATE DATE: JAN-07-82
UPDATE DATE: JAN-07-82
AIDE: MJM PCD: QH

Your concern about our Nation's resources is most understandable. Most assuredly, I do not condone the useless waste of our precious resources. However, we must look at the entire problem of solid waste management before we attempt to modify our environmental laws.

ITEM #: 49 ( )

wl—continue to make laws more equitable

TOP/SUBTOPIC (1): taxes/reform
TYPE OF DOC.: issue
CREATE DATE: JAN-07-82
UPDATE DATE: JAN-07-82
AIDE: MJM PCD: KD

Thank you for your recent letter concerning tax laws.

The present federal income tax system certainly deserves close scrutiny. There is no doubt that the tax laws can be improved in a number of respects. It is unfair for some Americans to make hundreds of thousands of dollars and pay little or nothing in income tax while most Americans of moderate means bear a heavy financial burden. Also, tax forms should not be so complex that a specialist must be hired by the average taxpayer.

Throughout my years of public service I have worked hard to bring about a more equitable income tax system. I have helped to enact a number of improvements, but, as we both know, there is much more to be done. You can be assured that I will continue my efforts to make the tax laws more equitable.

Again, thank you for writing. Be assured that I will keep your views in mind when legislation concerning this matter comes before the Senate floor.

EXHIBIT 3-15

CMS PRESS SYSTEM

OFFICE:

PRESS ABSTRACT REPORT

Sorted By Item
Date of Listing: JUL-05-84

Page 1

TOPIC	SUBTOPIC	ITEM NUMBER	SYNOPSIS	CREATED
Health	Alcohol abuse	2	Can't ignore drinking or drugged driving problems	AUG-05-82
Education	Bilingual education	3	Utah woman named advisor on bilingual education	JUL-23-82
Health	Community health center	4	Hatch gets dollars for SLC Indian health center	JUL-23-82
Health	Hospital payments	5	Hatch fixes medicare payments to hospitals	JUL-23-82
Health	Health planning	6	Hatch health planning bill gives States authority	JUL-09-82
Health	Home health care	7	Speech to American nurses association convention	JUN-30-82
Women	History week	8	Women's history week res reintroduced	JUL-16-82
Labor	Flexitime	9	Temporary flexitime extension passes; Hatch works for more	MAR-24-82
Labor	Human rights	10	Hatch urges deadline for Soviet human rights compliance	MAR-23-82
Health	Home health care	11	Hatch statement, favorable report filed on S. 234	MAR-23-82
Labor	Human rights	12	Helsinki Commission hrng on Madrid mtgs. Hatch statement	MAR-23-82
Health	Radiation	13	Hatch statement at hearing on radiation compensation	MAR-12-82
Health	Radiation	14	Hearing set. Hatch optimistic on radiation compensation	FEB-17-82
Appointment	National science board	15	Utah scientist appointed to National Science Board	FEB-03-82
Health	Home health care	16	Hatch takes home health care cause to Senate floor	MAR-24-82
Handicapped	Developmental disabilities	17	Honored as advocate for handicapped. Hatch pledges continued	MAR-30-82
Health	Biomedical research	18	Statement at NIH reauthorization hearings	MAR-31-82
Health	Competition	19	Hatch supports increased health competition	APR-16-82
Health	Home health care	20	Utah senior citizens would benefit from home health care	APR-19-82
Health	Home health care	21	HHS switch on home health care rules compassionate. Hatch says	MAY-06-82
Health	Alcohol abuse	22	Amendment increases funding for alcohol and drug abuse research	MAY-06-82
Education	Vocational education	23	Assuring instructional quality: the Federal imperative	JUN-18-82
Health	Health costs	24	Changing perspectives on America's health system	JUN-28-82
Handicapped	Education	25	Education for the handicapped receives increased fiscal year 83 funds	JUN-18-82
Health	Competition	26	Speech: health care competition and the year ahead	JAN-13-82
Health	Hazardous substances	27	Bill afb toxic chemical probe progresses. Hatch reports	FEB-16-82
Health	Radiation	28	Hearing set, Hatch optimistic on radiation compensation	FEB-17-82
Health	Family planning	29	New contraceptive regulations good news for families	FEB-19-82

EXHIBIT 3-16

PRESS ABSTRACT REPORT

Sorted By Topic
Date of Listing: JUL-05-84

TOPIC	SUBTOPIC	ITEM NUMBER	SYNOPSIS	CREATED
Human resources	Volunteerism	201	Reauthorization of Domestic Volunteer Services Act	APR-04-81
Human services	Adoption	590	Adoption anti-fraud and tax-break bills on agenda	FEB-10-84
Human services	Volunteers	683	Congress sends bill renewing action volunteer agency to pres	MAY-08-84
Investigations	Boilermakers	454	Intent to issue subpoenas for investigation	JUL-20-83
Jackson	Goodman	567	Hatch commends Jackson's efforts, Goodman's return	JAN-03-84
Judiciary	Bildisco	648	Bildisco: Rejection of union contracts in bankruptcy reorga	APR-10-84
Judiciary	Legal services	633	Hearing on nominations to the LSC board of directors	APR-25-84
Judiciary	ISC	651	Hearing on financial irregularities, grantee defunding and p	APR-11-84
Judiciary	Pharmacy robberies	154	Hatch cosponsors legislation to deter pharmacy crime	SEP-30-82
Labor	ERISA	510	Speech to NFIB	JUN-20-83
Labor	Black lung	263	Hearing on black lung benefit and revenue amendments	DEC-14-81
Labor	Black lung	266	Congress approves Hatch bill to rescue black lung fund—ut	DEC-15-81
Labor	Black lung	267	Senate approves Hatch bill to rescue black lung fund	DEC-16-81
Labor	Black lung	282	Hatch's committee recommends money, solution to black lung	DEC-07-82
Labor	Boilermakers	535	Hatch wins committee approval for probe into boilermakers'	OCT-28-83
Labor	Boilermakers	536	Hearing overseeing the boilermakers union	OCT-25-83
Labor	Boilermakers	537	Request for subpoena authority of the boilermakers union	OCT-25-83
Labor	Boilermakers	543	Resolution on boilermakers union	OCT-25-83
Labor	Boilermakers	562	Hearing on boilermakers	AUG-02-83
Labor	Boilermakers	607	Opening statement hearing overseeing boilermakers	JUN-29-83
Labor	Boilermakers	705	Hearing into allegations of union hiring hall corruption in	JUN-19-84
Labor	Boilermakers	706	Allegations of hiring hall corruption in the boilermakers	JUN-20-84
Labor	Committee staff	147	Bountiful woman works for Senate committee in Washington	AUG-30-82
Labor	Committee staff	226	Labor Dept. official appointed chief counsel to Senate labor	JUL-16-81
Labor	Committee staff	298	Hatch appoints Dr. Ronald Docksai staff director of labor comm	DEC-22-82
Labor	Davis-Bacon	118	Task force report calls Davis-Bacon inflationary	MAR-18-81
Labor	Davis-Bacon	124	Statement, Davis-Bacon oversight hearing	APR-28-81
Labor	Davis-Bacon	125	Statement, second Davis-Bacon oversight hearing	APR-29-81
Labor	Discrimination	59	Hatch asks new commitment against job discrimination	APR-28-82

EXHIBIT 3-17 CMS PRESS SYSTEM

CLIPPING ABSTRACT REPORT

Sorted By Topic
Date of Listing: JUL-07-84

Page 1

TOPIC	SUBTOPIC	CLIPPING	HEADLINE	CLIPPING DATE
No topic present		2201		APR-12-84
Do		6927	Jaffe's jail release may hinge on letter of credit from location	OCT-11-83
Do		5468	Holidays express a need for heroes	OCT-09-83
Do		185	Misguided moralists	JAN-31-83
Do		3929	Miami Cuban gifts help political fund cover all bases	MAY-29-84
Do		3376	Gov. Bob Graham in Miami	MAY-05-84
Do		3831	House, Senate OK cost control, indigent-care fund for hospital	MAY-11-84
Do		3763	DEA agents seek pilot of drug aircraft	MAY-03-84
Do		3264	For Hawkins abuse stories end less	MAY-07-84
Do		3297	Group: Hawkins will ask for transfer of Bosnake	MAY-10-84
Do		3518	VOA: Milian didn't want Marti post	MAY-23-84
Do		3543	Fight against child abuse must continue	MAY-25-84
Do		3540	Stop the coverup	MAY-24-84
Do		3295	Hawkins aide appears in Gainesville today	MAY-10-84
Do		2389	Alert the Keys	MAR-30-84
Do		2541	Drug boss say he paid in Bahamas	APR-08-84
Do		2506	Iraq leaning to nerve gas, U.S. says	APR-06-84
Do		2504	Cash-Ladon agency finds little to do, may face State ax	APR-06-84
Do		0756	Takes more concrete shape	AUG-19-81
Do		9876	Some temptations need to be avoided	DEC-26-83
Do		0062	A little heart needs a lot of money	JAN-12-84
Do		7684	Cancer research grant is criticized	JUN-03-81
Do		8751	Reagan to meet the press	JAN-29-81
Do		7303	British are coming and most welcome	JAN-14-81
Do	Editorial	6061	A clear choice	NOV-14-83
Do	D. Bruns	4622	Jaffe arrest triggers international uproar	AUG-08-83
Citrus crop	Apand UPI	7296	Citrus industry expects shipping embargo today	JAN-15-81
Clip	Editorial	6195	Lottery of death	NOV-25-83

EXHIBIT 3-18

NEWSLETTER MAIL FILE SYSTEM

DEFINITE AND POSSIBLE DUPLICATES REPORT

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MSUROO4 08.56            DEFINITE AND POSSIBLE DUPLICATES                                                   09/23/80

Jackson, Mary.........   77.2 ...................................................  DDADBD..................  000000000
  Ms. Mary Jackson....       6002 Main Street ........  Anytown, MD 21093.
Jackson, Mary.........   78 .....................................................  FA......................  000000000
  Mary Jackson........       6002 Main Street ........  Anytown, MD 21093.
Jones, Harry..........   81 .....................................................  ABACADAEAFAGAHAIAJAKA     000000000
                                                                                     LAM.
  Mr. Harry Jones ....       Suite A..................  400 North Drive ..........     Anytown, MD 21093.
Jones, Harry..........   83 .....................................................  FAAASXVVZZHHOL            000000000
                                                                                     WEKLKKGHDDGGKGGB.
  Harry Jones.........       12 East Street ..........  Anytown, MD 21093.
Jones, Harry..........   81 .....................................................  ABACADAEAFAGAHAIAJAKA     000000000
                                                                                     LAM.
  Mr. Harry Jones ....       Suite A..................  400 North Drive ..........     Anytown, MD 21093.
Jones, Harry J........   84 .....................................................  XXYYZZADSZABACAEAFAGA     000000000
                                                                                     HAIAJAKAL.
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EXHIBIT 3-19

UPDATES REPORT

Page 1

MSUROOZ O8.51	UPDATES FOR		FILE-MINI	11/17/82
Mcsorley, Richard	143.8643 ADD		KK	000000000
Richard Mcsorley	1 N St	Anytown 20510.		
Mctigue, John	143.8644 ADD		KK	000000000
John Mctigue	1 K St	Anytown 20510.		
Means, Lillian	143.8645 ADD		KK	000000000
Lillian Means	6 Franklin	Anytown 20510.		
Mears, Josephine L	143.8646 ADD		KK	000000000
Josephine L. Mears	1 4th St	Anytown 20510.		
Mebane, Amelia C	143.8647 ADD		KK	000000000
Amelia C. Mebane	6 14th St	Anytown 20510.		
Mebane, Crystal R	143.8648 ADD		KK	000000000
Crystal R. Mebane	1 Fairmont St	Anytown 20510.		

EXHIBIT 3-20 AUTOMATED INDEXING SYSTEM

ADDITIONS TO INDEX FILE FOR SENATOR JONES

05-19-80		NAME	REPORT	DOCUMENT PAGE NUMBER	MICROFILM 23 NUMBER
Doe, John, The Honorable, General Assembly, State Legislative Building, Raleigh, NC 27611, AP. Items: 3, 450, 452, 19	Issue: Taxes	Capital Gains	05-12-80	0133451005	
Doe, James, Mr., Attorneys at Law, Law Building, Anytown, VA 20403, PG. Items: 1, 164, 12	Issue: Banking and Currency.	Mortgages	05-13-80	0134101004	
Smith, John C., Mr., 123 Rolling Road, Anytown, MD 24050, JK. Item: 27	Admin: Employment.	DC Staff	05-17-80	0138251098	
Doe, Helen, Ms., 123 North Street, Anytown, VA 20504, LL. Items: 1, 59, 476	Issue: Agriculture	Farm Subsidy	05-12-80	0133453026	
Smith, G. Henry, Mr., Jr., 123 Key Street, Anytown, VA 20405, RPG. Items: 3, 283, 115, 19	Issue: Postal Service Labor.	Saturday Delivery Pro Unemployment.	05-15-80	0136201045	
Doe, Ralph, Mr., McQuire School Road, Anytown, MT 94939, KDD. Checking on Delay	Case: Const Interim Social Security.	Contacted Agency	05-14-80	0134102005	

EXHIBIT 3-21

LEGISLATIVE ACTIVITIES REPORT

TABLE OF CONTENTS

Section I. Sponsored Measures 2
Section II. Co-sponsored Measures 8
Section III. Sponsored Measures Organized by Committee Referral 36
Section IV. Co-sponsored Measures Organized by Committee Referral 42
Section V. Sponsored Amendments 77
Section VI. Co-sponsored Amendments 79
Section VII. Subject index to Sponsored and Co-sponsored Measures and Amendments 83

Section I. Sponsored Measures

****** S. 83**

Date Introduced: 01/26/83

OFFICIAL TITLE

A bill to extend the Federal Supplementary Compensation Program six months.

LATEST STATUS

Jan. 26, 83. Read twice and referred to the Committee on Finance.

****** S. 98**

Date Introduced: 01/26/83

OFFICIAL TITLE

A bill to amend the Internal Revenue Code of 1954 to provide for the establishment of enterprise zones.

LATEST STATUS

Jan. 26, 83. Read twice and referred to the Committee on Finance.

****** S. 100**

Date Introduced: 01/26/83

OFFICIAL TITLE

A bill to assure that actions taken by foreign countries do not impact severely on domestic agricultural exports and agriculture, and for other purposes.

LATEST STATUS

Jan. 26, 83. Read twice and referred to the Committee on Agriculture.

****** S. 308**

Date Introduced: 01/31/83

OFFICIAL TITLE

A bill for the relief of Ms. Vasanta Senerat.

LATEST STATUS

Jan. 31, 83. Read twice and referred to the Committee on Judiciary.

****** S. 343**

Date Introduced: 02/01/83

OFFICIAL TITLE

A bill to amend the Internal Revenue Code of 1954 to reduce the Heavy Vehicle Use Tax.

LATEST STATUS

Feb. 1, 83. Read twice and referred to the Committee on Finance.

****** S. 344**

Date Introduced: 02/01/83

OFFICIAL TITLE

A bill for the relief of Doctor Ching Hon Pui.

Section II. Cosponsored Measures

****** S. 17**

Date Introduced: 01/26/83

Sponsor: Dole

OFFICIAL TITLE

A bill to expand and improve the domestic commodity distribution program.

LATEST STATUS

Mar. 9, 83. Placed on Senate Legislative Calendar under Regular Orders. Calendar No. 39.

Mar. 9, 83. Committee on Agriculture. Reported to Senate by Senator Helms with an amendment in the nature of a substitute. With written report No. 98-21.

Jan. 26, 83. Read twice and referred to the Committee on Agriculture.

****** S. 41**

Date Introduced: 01/26/83

Sponsor: Durenberger

OFFICIAL TITLE

A bill to extend the revenue sharing program for local governments through fiscal year 1986.

Jan. 26, 83. Read twice and referred to the Committee on Finance.

****** S. 62**

Date Introduced: 01/26/83

Sponsor: Sasser

OFFICIAL TITLE

A bill to provide for the issuance of a commemorative stamp to honor the dedication of the Vietnam Veterans Memorial.

LATEST STATUS

Jan. 26, 83. Read twice and referred to the Committee on Governmental Affairs.

****** S. 74**

Date Introduced: 01/26/83

Sponsor: Melcher

OFFICIAL TITLE

A bill entitled the "Reye's Syndrome Act of 1983."

LATEST STATUS

Jan. 26, 83. Read twice and referred to the Committee on Labor and Human Resources.

****** S. 76**

Date Introduced: 01/26/83

Sponsor: Dole

Section III. Sponsored Measures Organized by Committee Referral

SENATE: AGRICULTURE

****** S. 100**

Date Introduced: 01/26/83

OFFICIAL TITLE

A bill to assure that actions taken by foreign countries do not impact severely on domestic agricultural exports and agriculture, and for other purposes.

LATEST STATUS

Jan. 26, 83. Read twice and referred to the Committee on Agriculture.

****** S. 1045**

Date Introduced: 04/13/83

OFFICIAL TITLE

A bill to assure the production of an adequate supply of pure and wholesome milk to meet the needs of markets in the United States, to assure a reasonable level of return to dairy farmers and stable prices for dairy products for consumers, to stabilize a temporary imbalance in the supply and demand for dairy products, to enable milk producers to establish, finance and carry out a coordinated program of dairy product promotion to improve, maintain and develop markets for dairy products, and for other purposes.

LATEST STATUS

Apr. 13, 83. Read twice and referred to the Committee on Agriculture.

SENATE: APPROPRIATIONS

****** S. CON. RES. 6**

Date Introduced: 01/27/83

OFFICIAL TITLE

A concurrent resolution expressing the sense of the Congress that the Federal government should maintain current efforts in Federal nutrition programs to prevent increases in domestic hunger.

LATEST STATUS

Mar. 8, 83. Placed on Senate Legislative Calendar under Regular Orders. Calendar No. 36.

Mar. 8, 83. Committee on Appropriations. Reported to Senate by Senator Hatfield without amendment. With written report No. 98-18.

Jan. 27, 83. Referred to the Committee on Appropriations.

Section IV. Cosponsored Measures Organized by Committee Referral

SENATE: AGRICULTURE

****** S. 17**

Date Introduced: 01/26/83

Sponsor: Dole

OFFICIAL TITLE

A bill to expand and improve the domestic commodity distribution program.

LATEST STATUS

Mar. 9, 83. Placed on Senate Legislative Calendar under Regular Orders. Calendar No. 39.

Mar. 9, 83. Committee on Agriculture. Reported to Senate by Senator Helms with an amendment in the nature of a substitute. With written report No. 98-21.

Jan. 26, 83. Read twice and referred to the Committee on Agriculture.

****** S. 1298**

Date Introduced: 05/17/83

Sponsor: Andrews

OFFICIAL TITLE

A bill to authorize the use of Commodity Credit Corporation grain stocks to provide in-kind guarantees of grower agreements for the delivery of grain to alcohol fuels production facilities.

LATEST STATUS

May 17, 83. Read twice and referred to the Committee on Agriculture.

****** S. 1300**

Date Introduced: 05/17/83

Sponsor: Huddleston

OFFICIAL TITLE

A bill to amend the Rural Electrification Act of 1936 to insure the continued financial integrity of the Rural Electrification and Telephone Revolving Fund, and for other purposes.

LATEST STATUS

May 17, 83. Read twice and referred to the Committee on Agriculture.

Section V. Sponsored Amendments

****** S. Amdt. No. 461**

Date Introduced: 02/28/83

Submitted For: S. 47

STATEMENT OF PURPOSE

****** S. Amdt. No. 1063**

Date Introduced: 04/18/83

Submitted For: S. 144

STATEMENT OF PURPOSE

****** S. Amdt. No. 1064**

Date Introduced: 04/18/83

Submitted For: S. 144

STATEMENT OF PURPOSE

****** S. Amdt. No. 1065**

Date Introduced: 04/18/83

Submitted For: S. 1044

STATEMENT OF PURPOSE

****** S. Amdt. No. 1066**

Date Introduced: 04/18/83

Submitted For: S. 144

STATEMENT OF PURPOSE

****** S. Amdt. No. 1299**

Date Introduced: 05/25/83
Congressional Record: S7567

Submitted For: S. 869

STATEMENT OF PURPOSE

****** S. Amdt. No. 1376**

Date Introduced: 06/10/83
Congressional Record: S8211

Submitted For: H.R. 3069

STATEMENT OF PURPOSE

To express the sense of the Congress that the Federal Government should maintain current efforts in Federal nutrition programs to prevent increases in domestic hunger.

LATEST STATUS

Jun. 10, 83. Amendment SP 1376 agreed to in Senate by Voice Vote.

Jun. 10, 83. Proposed by Senator Boschwitz.

Section VI. Cosponsored Amendments

****** S. Amdt. No. 535**

Date Introduced: 03/22/83
Congressional Record: S3675

Submitted For: H.R. 1900
Sponsor: Baucus

STATEMENT OF PURPOSE

To provide a credit against the Old-Age, Survivors, and Disability Insurance Tax to small business employers for 1984.

LATEST STATUS

Mar. 23, 83. Amendment SP 535 agreed to in Senate by Voice Vote.

Mar. 23, 83. Considered by Senate.

Mar. 23, 83. Proposed by Senator Baucus.

****** S. Amdt. No. 1235**

Date Introduced: 05/05/83
Congressional Record: S6179

Submitted For: S. Con. Res. 27
Sponsor: Dole

STATEMENT OF PURPOSE

To add additional funds for health-care assistance for the unemployed.

LATEST STATUS

May 5, 83. Amendment SP 1235 agreed to in Senate by Yea-Nay Vote. 90-9. Record Vote No: 73.

May 5, 83. Proposed by Senator Dole.

****** S. Amdt. No. 1240**

Date Introduced: 05/06/83
Congressional Record: S6267

Submitted For: S. Con. Res. 27
Sponsor: Hollings

STATEMENT OF PURPOSE

To increase the budget ceilings to allow increased funding for elementary and secondary education programs and student financial assistance.

LATEST STATUS

May 6, 83. Amendment SP 1240 agreed to in Senate by Yea-Nay Vote. 55-32. Record Vote No: 78.

May 6, 83. Proposed by Senator Hollings.

****** S. Amdt. No. 1369**

Date Introduced: 06/10/83
Congressional Record: S8209

Submitted For: S. 66
Sponsor: Lautenberg

STATEMENT OF PURPOSE

To delete the requirement that judicial review be de nono where the franchising authority complies with a fair and adequate administrative procedure.

Section VII. Subject Index to Sponsored and Cosponsored Measures and Amendments

Abortion.......... S.J. Res. 3
Acid Precipitation (Meteorology).......... S. 768
Acid Precipitation (Meteorology).......... S. 768
Acid Rain.......... S. 768
Acreage Allotments.......... S. 446
Administrative Procedure.......... S. 476, S. 1080
Age Discrimination.......... S. 832
Age Discrimination in Employment Amendments .... S. 832
Aged.......... S. Con. Res. 6, S. Con. Res. 24, S.J. Res. 50
Agricultural Price Supports.......... S. 100, S. 446
Agricultural Subsidies.......... S. 100, S. 446
Agricultural Surpluses.......... S. 17, S. 100
Agriculture.......... S. 1298
Agriculture in Foreign Trade.......... S. 100, S. 852, S. 853
Air Pollution Control.......... S. 768
Air Pollution Control—Authorization.......... S. 768
Air Pollution Control—Fees.......... S. 768
Air Pollution Control—Licenses.......... S. 768
Air Pollution Control—Technological Innova.......... S. 768
Air Quality—Alaska.......... S. 768
Air Quality—Standards.......... S. 768
Aircraft.......... S. Res. 119
Alcohol.......... S. 1298
Alcohol as Fuel.......... S. 253

ALL OPTION REPORT

S. 675

Date Introduced: 03/03/83.
Calendar No: 278
S. Rept. 98-174
S. Rept. 98-213
H. Rept. 98-352
Sponsor: Tower.
Referred to: Senate Committee on Armed Services.
Reported by: Senate Committee on Armed Services.
Short Title(s) as introduced:

Department of Defense Authorization Act, 1984.

Latest official title:
Official Title as Introduced as of 03/03/83:

A bill to authorize appropriations for fiscal year 1984 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, and for other purposes.

Amendments Proposed:

S. Amdt. No. 1458. Date: 07/12/83. Proposed By: Byrd.
S. Amdt. No. 1459. Date: 07/12/83. Proposed By: Goldwater.
S. Amdt. No. 1460. Date: 07/12/83. Proposed By: Warner.
S. Amdt. No. 1461. Date: 07/12/83. Proposed By: Tower.
S. Amdt. No. 1462. Date: 07/12/83. Proposed By: Tower.
S. Amdt. No. 1463. Date: 07/12/83. Proposed By: Johnston.
S. Amdt. No. 1464. Date: 07/12/83. Proposed By: Goldwater.
S. Amdt. No. 1465. Date: 07/12/83. Proposed By: Specter.
S. Amdt. No. 1466. Date: 07/13/83. Proposed By: Proxmire.
S. Amdt. No. 1467. Date: 07/13/83. Proposed By: Tower.
S. Amdt. No. 1468. Date: 07/13/83. Proposed By: Pryor.
S. Amdt. No. 1470. Date: 07/13/83. Proposed By: Kennedy.
S. Amdt. No. 1472. Date: 07/13/83. Proposed By: Mitchell.
S. Amdt. No. 1473. Date: 07/13/83. Proposed By: Armstrong.
S. Amdt. No. 1474. Date: 07/13/83. Proposed By: Nunn.
S. Amdt. No. 1477. Date: 07/14/83. Proposed By: Nunn.
S. Amdt. No. 1478. Date: 07/14/83. Proposed By: Pryor.
S. Amdt. No. 1479. Date: 07/14/83. Proposed By: Lugar.
S. Amdt. No. 1480. Date: 07/14/83. Proposed By: Quayle.
S. Amdt. No. 1481. Date: 07/14/83. Proposed By: Helms.
S. Amdt. No. 1482. Date: 07/14/83. Proposed By: Thurmond.
S. Amdt. No. 1483. Date: 07/14/83. Proposed By: Thurmond.
S. Amdt. No. 1484. Date: 07/14/83. Proposed By: Humphrey.
S. Amdt. No. 1485. Date: 07/14/83. Proposed By: Durenberger.
S. Amdt. No. 1486. Date: 07/14/83. Proposed By: Stafford.
S. Amdt. No. 1487. Date: 07/14/83. Proposed By: Moynihan.
S. Amdt. No. 1488. Date: 07/14/83. Proposed By: Levin.
S. Amdt. No. 1489. Date: 07/14/83. Proposed By: Trible.
S. Amdt. No. 1490. Date: 07/14/83. Proposed By: Cohen.
S. Amdt. No. 1491. Date: 07/14/83. Proposed By: Tower.
S. Amdt. No. 1492. Date: 07/14/83. Proposed By: Glenn.
S. Amdt. No. 1493. Date: 07/14/83. Proposed By: Stevens.
S. Amdt. No. 1494. Date: 07/14/83. Proposed By: Moynihan.
S. Amdt. No. 1498. Date: 07/15/83. Proposed By: Jepsen.
S. Amdt. No. 1499. Date: 07/15/83. Proposed By: Mattingly.
S. Amdt. No. 1500. Date: 07/15/83. Proposed By: Byrd.
S. Amdt. No. 1501. Date: 07/15/83. Proposed By: Chafee.
S. Amdt. No. 1503. Date: 07/15/83. Proposed By: Tower.

S. Amdt. No. 1504. Date: 07/16/83. Proposed By: Sarbanes.

S. Amdt. No. 1505. Date: 07/16/83. Proposed By: Jackson.

S. Amdt. No. 1506. Date: 07/16/83. Proposed By: Mathias.

S. Amdt. No. 1502. Date: 07/16/83. Proposed By: Mathias.

S. Amdt. No. 1509. Date: 07/16/83. Proposed By: Pressler.

S. Amdt. No. 1510. Date: 07/16/83. Proposed By: Bradley.

S. Amdt. No. 1508. Date: 07/16/83. Proposed By: Melcher.

S. Amdt. No. 1515. Date: 07/16/83. Proposed By: Grassley.

S. Amdt. No. 1518. Date: 07/18/83. Proposed By: Tsongas.

S. Amdt. No. 1519. Date: 07/18/83. Proposed By: Metzenbaum.

S. Amdt. No. 1520. Date: 07/18/83. Proposed By: Stafford.

S. Amdt. No. 1523. Date: 07/19/83. Proposed By: Quayle.

S. Amdt. No. 1524. Date: 07/19/83. Proposed By: Wallop.

S. Amdt. No. 1525. Date: 07/19/83. Proposed By: Tower.

S. Amdt. No. 1526. Date: 07/20/83. Proposed By: Warner.

S. Amdt. No. 1531. Date: 07/20/83. Proposed By: Jackson.

S. Amdt. No. 1534. Date: 07/20/83. Proposed By: Metzenbaum.

S. Amdt. No. 1527. Date: 07/20/83. Proposed By: Tower.

S. Amdt. No. 1532. Date: 07/20/83. Proposed By: Tower.

S. Amdt. No. 1528. Date: 07/20/83. Proposed By: Abdnor.

S. Amdt. No. 2072. Date: 07/20/83. Proposed By: Huddleston.

S. Amdt. No. 1539. Date: 07/21/83. Proposed By: Denton.

S. Amdt. No. 2076. Date: 07/21/83. Proposed By: Metzenbaum.

S. Amdt. No. 2061. Date: 07/21/83. Proposed By: Moynihan.

S. Amdt. No. 2062. Date: 07/21/83. Proposed By: Helms.

S. Amdt. No. 2082. Date: 07/21/83. Proposed By: Levin.

S. Amdt. No. 2083. Date: 07/21/83. Proposed By: Tower.

S. Amdt. No. 2084. Date: 07/21/83. Proposed by: Cohen.

S. Amdt. No. 2086. Date: 07/22/83. Proposed by: Melcher.

S. Amdt. No. 2087. Date: 07/25/83. Proposed by: Hart.

S. Amdt. No. 2089. Date: 07/26/83. Proposed by: Moynihan.

S. Amdt. No. 2091. Date: 07/26/83. Proposed by: Levin.

Legislative Actions:

Mar. 3, 83. Read twice and referred to the Committee on Armed Services.

Jun. 17, 83. Subcommittee on Military Construction (Arm Serv). Approved for full committee consideration with amendments favorably.

Mar. 8, 83. Subcommittee on Manpower and Personnel (Arm Serv). Hearings held. (Mar 10, 83; Mar 15, 83; Mar 23, 83; Apr 7, 83).

May 12, 83. Considered by Subcommittee on Manpower and Personnel (Arm Serv).

May 19, 83. Subcommittee on Manpower and Personnel (Arm Serv). Approved for full committee consideration with amendments favorably. (Jun 21, 83).

Mar. 10, 83. Subcommittee on Tactical Warfare. Hearings held. (Mar 14, 83; Mar 21, 83; Mar 22, 83).

May 10, 83. Considered by Subcommittee on Tactical Warfare.

May 12, 83. Subcommittee on Tactical Warfare. Approved for full committee consideration with amendments favorably. (Jun 21, 83).

Mar. 11, 83. Subcommittee on Strategic & Theater Nuclear Forces. Hearings held. (Mar 15, 83; Mar 18, 83; Mar 21, 83; Mar 23, 83; Apr 7, 83; Apr 8, 83.

May 12, 83. Subcommittee on Strategic & Theater Nuclear Forces. Approved for full committee consideration with amendments favorably. (Jun 20, 83).

Apr. 6, 83. Subcommittee on Preparedness. Hearings held. (Apr 12, 83; Apr 14, 83; Apr 21, 83; Apr 27, 83; Apr 28, 83).

May 11, 83. Subcommittee on Preparedness. Approved for full committee consideration with amendments favorably. (Jun 21, 83).

Mar. 14, 83. Subcommittee on Sea Power and Force Projection. Hearings held. (Mar 22, 83; Mar 23, 83; Mar 24, 83; Apr 6, 83; Apr 7, 83).

May 16, 83. Considered by Subcommittee on Sea Power and Force Projection.

May 19, 83. Subcommittee on Sea Power and Force Projection. Approved for full committee consideration with amendments favorably. (Jun 17, 83).

Apr. 18, 83. Committee on Armed Services. Hearings held. (Apr 20, 83; Apr 21, 83; Apr 25, 83).

Jun. 22, 83. Committee on Armed Services. Committee consideration and Mark Up Session held. (Jun 23, 83; Jun 24, 83; Jun 27, 83).

Jun. 29, 83. Committee on Armed Services. Ordered to be reported with an amendment in the nature of a substitute favorably.

Jul. 5, 83. Committee on Armed Services. Reported to Senate by Senator Tower under the authority of the order of Jun 29, 83 with an amendment in the nature of a substitute and an amendment to the title. With written report No. 98-174. Additional and minority views filed.

Jul. 5, 83. Placed on Senate Legislative Calendar under General Orders. Calendar No. 278.

Jul. 11, 83. Measure laid before Senate by unanimous consent.

Jul. 11, 83. Motion to waive section 402 of the Congressional Budget Act respecting S. 675 made in the Senate.

Jul. 12, 83. Considered by Senate.

Jul. 12, 83. Amendment SP 1458 proposed by Senator Byrd.

Jul. 12, 83. Amendment SP 1458 agreed to by Voice Vote.

Jul. 12, 83. Motion to waive section 402 of the Congressional Budget Act respecting S. 675 agreed to by Voice Vote.

Jul. 12, 83. Amendment SP 1459 proposed by Senator Goldwater.

(Remaining entries not reproduced)

Abstract:

Authorizes appropriations for the Department of Defense for FY 1984.

Digest:

Department of Defense Authorization Act, 1984 — *Title I: Procurement*—Authorizes appropriations for FY 1984 for procurement by the armed forces and the defense agencies of aircraft, missiles, weapons, tracked combat vehicles, ammunition, shipbuilding and conversion, and for other procurement. Earmarks funds authorized for aircraft for the Air Force for the United States' share of the FY 1984 cost of acquisition by the North Atlantic Treaty Organization (NATO) of the Airborne Warning and Control System (AWACS). Authorizes appropriations for the purchase of metals, minerals, or other materials by the Department, pursuant to the Defense Production Act of 1950.

Extends through FY 1984 the authority of the Secretary of Defense, in carrying out the Multilateral Memorandum of Understanding Between the NATO Ministers of Defense concerning the NATO AWACS program, to waive reimbursement for the cost of specified functions performed by certain personnel and to assume contingent liability for program losses and specified charges.

Authorizes appropriations for a special classified program.

Authorizes the Secretary to procure secure telephone communication systems for the Department and other Government agencies to support a national program to provide secure telephone service. Sets forth authorization levels.

Title II: Research, Development, Test, and Evaluation—Authorizes appropriations for FY 1984 for the armed forces and the defense agencies for research, development, test, and evaluation. Authorizes additional appropriations as needed for increases in civilian employee benefits.

Title III: Operation and Maintenance—Authorizes appropriations for FY 1984 for the armed forces and the defense agencies for operation and maintenance. Authorizes the Secretary to provide logistical support and personnel services and to lend and provide equipment in support of the 1984 Games of the XXIII Olympiad. Authorizes appropriations.

Title IV: Active Forces—Authorizes strengths for active duty personnel as of the end of FY 1984.

Title V: Reserve Forces—Authorizes average strengths for the selected reserve components of the armed forces for FY 1984. Permits the reduction and increase in such strengths as specified. Authorizes a specified number of reserves to serve on full-time active duty in order to organize, administer, instruct, recruit, or train the reserve components. Permits the end strength levels to be increased by two percent in the national interest.

Increases the number of reserve officers in the Army and Marine Corps who may be on active duty in specified grades.

Title VI: Civilian Personnel—Authorizes civilian personnel levels for the Department as of the end of FY 1984. Directs the Secretary of apportion such personnel among the various armed forces and defense agencies and to report to Congress within 60 days on such apportionment. Specifies which personnel shall be included in computing the strength for civilian personnel Permits the Secretary to increase the strength by up to two percent in the national interest.

Title VII: Military Training Student Loads—Authorizes average military training student loads for each component of the armed forces for FY 1984. Requires the adjustment of such loads as the manpower strengths of each component are adjusted.

Title VIII: General Provisions—Amends the Department of Defense Authorization Act, 1983 to repeal the prohibition against consolidating functions of the military transportation commands.

Permits the Secretary to enter into agreements with the Governments of any friendly foreign country or international organization under which the United States agrees to provide communications support or related supplies and services in return for the reciprocal provision of an equivalent amount of support or supplies.

Automatic Legislative Tracking

09-14-83

S. 888

Sponsor: Durenberger

Cosponsor(s): Current (31) Withdrawn (0)

Packwood; Hatfield; Hart; Kassebaum; Baucus; Burdick; Inouye; Boschwitz; Kennedy; Cohen; Wallop; Heinz; Riegle; Mitchell; Melcher; Tsongas; Dixon; Leahy; Matsunaga; Mathias; Pressler; Cochran; Glenn; Bingaman (A-04/05/83); Stevens (A-04/05/83); Levin (A-04/05/83); Hollings (A-04/12/83); Cranston (A-04/27/83); DeConcini (A-05/03/83); Andrews (A-07/14/83); Metzenbaum (A-07/14/83).

Latest Official Title:

A bill entitled "The Economic Equity Act".

Senate Committee Referrals:

Committee on Finance.

Changes:

Legislative Status:

Del. Senate—Aug. 2, 83, Committee on Finance. Hearings held.

Senate—Mar. 23, 83, Read twice and referred to the Committee on Finance.

Senate—Apr. 5, 83, Committee on Finance requested executive comment from OMB, Treasury Department, Health and Human Services Department.

Senate—Jun. 20, 83, Committee on Finance. Hearings held.

Senate—Jun. 21, 83, Committee on Finance. Hearings held.

Add Senate—Aug. 2, 83, Committee on Finance. Hearings held.

S. 973

Sponsor: Andrews

Cosponsor(s): None.

Latest Official Title:

A bill to make technical amendments to the Indian Self-Determination and Education Assistance Act and other Acts.

Senate Committee Referrals:

Select Committee on Indian Affairs.

Changes:

Legislative Status:

Senate—Apr. 5, 83, Read twice and referred to the Committee on Indian Affairs.

Senate—Apr. 28, 83, Committee on Indian Affairs. Hearings held. Hearings printed: S. Hrg. 98-171.

Senate—Apr. 28, 83, Committee on Indian Affairs. Ordered to be reported without amendment favorably.

Senate—May 5, 83, Committee on Indian Affairs. Reported to Senate by Senator Andrews without amendment. With written report No. 98-73.

Senate—May 5, 83, Placed on Senate Legislative Calendar under Regular Orders. Calendar No. 121.

Senate—May 25, 83, Considered by Senate.

Senate—May 25, 83, Amendment SP 1301 proposed by Senator Baker for Senator Helms.

Senate—May 25, 83, Amendment SP 1301 agreed to in Senate by Voice Vote.

Senate—May 25, 83, Passed Senate with an amendment by Voice Vote.

House—Jun. 1, 83, Called up by House by Unanimous Consent.

House—Jun. 1, 83, Passed House by Voice Vote.

House—Jun. 1, 83, Cleared for White House.

Senate—Jun. 7, 83, Measure Signed in Senate.

House—Jun. 7, 83, Presented to President.

House—Jun. 18, 83, Vetoed by President.

Add Senate—Jun. 20, 83, Veto message ordered held at the desk.

EXHIBIT 3-24

SAMPLE REPORT

January 1983 Estimate of Budget Authority for fiscal year 1984
and 1 Through 5 Percent Increases and Decreases

[Dollars in Thousands]

OMB00001

As of 07/11/83 09:22

SEQUENCE: AGENCY/BUREAU/FUNCTION/ SUBFUNCTION	PERCENT	FY 1983—TOTAL BA FY 1984	1 PERCENT THRU 5 PERCENT—INCREASES	1 PERCENT THRU 5 PERCENT—DECREASES		
07-10 17-1806-051		693,000				
Operation and maintenance, Navy Reserve	1		762,300	686,070		
	2		831,600	679,140		
	3		900,900	672,210		
	4		970,200	665,280		
	5		1,039,500	658,350		
07-10 21-2020-051		17,867,800				
Operation and maintenance, Army	1		19,654,580	17,689,122		
	2		21,441,360	17,510,444		
	3		23,228,140	17,331,766		
	4		25,014,920	17,153,088		
	5		26,801,700	16,974,410		
07-10 21-2065-051		1,135,000				
Operation and maintenance, Army National Guard	1		1,248,500	1,123,650		
	2		1,362,000	1,112,300		
	3		1,475,500	1,100,950		
	4		1,589,000	1,089,600		
	5		1,702,500	1,078,250		
07-10 21-2080-051		662,800				
Operation and maintenance, Army Reserve	1		729,080	656,172		
	2		795,360	649,544		
	3		861,640	642,916		
	4		927,920	636,288		
	5		994,200	629,660		
07-10 21-2087-051		50,000				
Summer olympics	1		55,000	49,500		
	2		60,000	49,000		
	3		65,000	48,500		
	4		70,000	48,000		

EXHIBIT 3-25 PROGRAM REVIEW SYSTEM

ENERGY SAMPLE TEST 11/17/82

OMB July 1982 BA and OL Estimates
for 1982 Through 1987

[Dollars in Thousands]

Energy03/ESS3

As of 11/17/82 14:58

Page 1

SUBTOTALS FOR BUREAUS	1983	1984	1985	1986	1987
Petroleum Reserves (04-45):					
BA	0	0	0	0	0
OL	0	0	0	0	0
Agricultural Stabilization and Conservation S(05-60):					
BA	56,000	56,000	56,000	56,000	56,000
OL	160,720	91,300	89,400	81,536	80,200
Rural Electrification Administration (05-72):					
BA	30,340	30,340	30,340	30,340	30,340
OL	30,358	30,340	30,340	30,340	30,340
Soil Conservation Service (05-78):					
BA	516,516	506,204	506,204	506,204	506,204
OL	556,524	529,344	508,654	508,119	507,481
Forest Service (05-96):					
BA	1,790,207	1,809,516	1,809,516	1,809,516	1,809,516
OL	1,845,812	1,814,530	1,814,530	1,814,530	1,814,530
National Oceanic and Atmospheric Administration (06-48):					
BA	770,439	818,708	847,908	887,908	887,908
OL	817,833	785,408	856,308	896,308	893,308
Energy Research and Technology Administation (06-65:					
BA	2,341,041	2,282,854	2,370,594	2,428,161	2,546,495
OL	2,426,737	2,209,394	2,244,551	2,130,111	2,241,125
Energy Programs (06-70):					
BA	73,084	69,884	72,501	75,004	76,705
OL	270,738	121,813	71,985	74,414	76,311
Corps of Engineers—Civil (08-10):					
BA	2,810,438	2,919,238	2,987,038	2,137,438	3,251,938
OL	2,824,438	2,710,238	2,784,038	2,951,638	3,095,638
Wildlife Conservation, Military Reservations (08-30):					
BA	1,449	1,449	1,449	1,449	1,449
OL	1,389	1,539	1,539	1,539	1,539

Chapter IV:
Files Management Techniques

GOALS

Effective office management depends on the establishment of a good working relationship between recordkeepers and professional staff, especially in deciding what to file and where to file it. The frequency of changes in congressional staffing make it especially important that offices strive to establish a good tradition at the outset. Elements of good management include:

☐ Establishment of a smooth filing routine
☐ Elimination of needless filing, especially non-record material
☐ Reducing the number of electrostatic copies made by using a routing slip or circulating a reading file
☐ Identification of transitory material such as routine requests for publications, routine letters of transmittal, routine administrative papers, and filing them separately from permanently valuable files or indexing them separately on an automated system

Techniques outlined in this chapter have been adapted for use in congressional offices from various records management handbooks developed by the National Archives and Records Administration.

FILING ROUTINES

There are four basic tasks comprising a filing routine. It is best to have the same individual or individuals perform these tasks on a regular basis. They include:

☐ Checking and sorting
☐ Marking the file designation
☐ Indexing or cross-referencing
☐ Filing

Checking And Sorting

As the daily mail arrives, and as documents are forwarded or returned to the recordkeeper for filing, the following steps are taken:

☐ Separate the papers into groups: "Junk Mail," or items to be discarded; items requiring further action; and items to be filed. The office manager might wish to review the junk mail periodically to ensure that the weeding is accurate.
☐ Determine the disposition of publications including journals, circulars, directories, etc., by attaching a note and circulating the item to staff. Staff can check one of four choices: "dispose after circulating", "retain for ____ years", "save only page no. ____", or "keep in revolving file". (In a revolving file the oldest issue is discarded as the most recent is filed.)
☐ Screen the material to be filed to assure that it is ready to be filed (i.e. that staff who need to see the document have done so, or that it has been routed properly). Staff might be asked to initial such documents or write "file" on them.
☐ Assemble related records and check for completeness. If action is complete, but an important document is missing, the recordkeeper should attempt to obtain the papers or copies of them for the file.

Marking The File Designation

Read and analyze the documents in order to determine in which file series each belongs. The quality of filing and the efficiency of recordkeeping achieved by an office is directly related to the recordkeeper's ability to understand what types of documents belong in which files. Coding and indexing documents that are created and stored on magnetic media is especially important for future retrieval and for disposition decisions.

Indexing And Cross-Referencing

Some papers may concern more than one topic or piece of legislation. Recordkeepers must decide whether or not to create a separate index or interfile cross-references to such papers. (See Chapter VI for a discussion of indexing.)

Even well-planned files contain some papers that need to be cross-referenced. The cross-reference sheets may be interfiled among the papers of the main subject or case file or among the index files. Cross-referencing may be needed when papers that normally would be filed in separate locations need to be filed together. Examples include instances when current files include items transferred from closed files or when security classified papers filed in a restricted file have a direct relationship to documents filed in unclassified files. Permanent cross-references are used for a change of name.

Standard cross-reference forms, Optional Form 21, may be used for preparing either separate index cross-references or interfiled cross-references. Optional Form 22, Continuity Reference, can be used to indicate that a file has been moved from one place to another. (Sample forms can be found in Appendix B.)

Placing Papers Into Files

The following techniques will result in the creation of useful, easy-to-use files.

☐ Remove all clips, pins, and rubber bands before papers are filed. Newsprint clippings should not be filed with permanent records. They may be photocopied onto bond paper and the copies filed instead.
☐ File material loosely in folders unless fasteners are needed to subdivide papers or to prevent loss. If it is necessary to bind materials in folders, use prong fasteners rather than staples, clips, or rubber bands.
☐ Check folder thickness: when a folder becomes three-fourths of an inch thick, it should be cut off, the inclusive dates listed on the caption, and a new folder, appropriately captioned, placed in the file immediately in front of the cut off folder.
☐ Keep folder labels visible so that files do not become "lost" in a drawer.
☐ Do not jam drawers to capacity. Leave about four inches of working space in a drawer.
☐ File clippings with related material under the same classification, unless they are filed separately for a special purpose.
☐ File security classified documents in a separate file, apart from unclassified papers. A cross-reference sheet should be prepared.
☐ Bulky or oversized material should be filed separately in storage equipment suited to its size.
☐ Computer tapes, disks, diskettes, microfilm, audiovisual tapes, and sound recordings should be filed separately from textual records so that these more fragile mediums can be stored in a proper temperature and humidity controlled environment.

Chargeout Cards

Encourage staff to use chargeout cards (Optional Form 23) if they remove a folder from a centralized file. The card should identify the records removed, when they were removed, and who borrowed them. (See Appendix B, Sample Forms.)

Labels

Drawer labels, guide card labels, and folder labels are prepared to aid filing and retrieval of information by making the organization of a file visually clear. The following techniques are suggested:

☐ Prepare drawer labels for each file series showing the file title, the years covered, the filing arrangement, and the segment of the particular file in that drawer.
☐ Prepare guide labels to give an idea of the contents of the several folders that follow.
☐ Folder labels should clearly identify the contents, be in large type or neatly handwritten, and contain in not more than three lines the specific name, letter, geographic location, topic, number or symbol identifying the contents of that folder.

Guide And Folder Arrangement

☐ Set guide labels at two positions across a file drawer (left side or right side) to provide signposts to areas within the file.
☐ Arrange folder tabs in a straight line to avoid unnecessary eye movement. Tabs may be color coded when specific filing purposes must be served. Colors can be used to designate official file copies, to differentiate between types of files (i.e., legislative, press, administrative, casework, political), to differentiate between permanently valuable material and transitory reference material, or to designate any other meaning useful to an office. A key to color coded files should be included with the office file plan and with the files.

Removing Inactive Records From The Office

At least once a year recordkeepers should dispose of inactive records according to the directions outlined in the individual office file plan as approved by the senator. To do so:

☐ Cut off the files.
☐ Prepare an inventory of all inactive files so that you can retrieve them if necessary. Retain the list in the office.
☐ Transfer inactive files to storage, either to attic storage; the Washington National Records Center for courtesy storage, or to the senator's designated repository. (For instructions on courtesy storage see Chapter VIII.)

☐ Destroy files and weeded items authorized for destruction. (See Chapter VII for a list of items that should be weeded from inactive files.) Files containing confidential information should be shredded (see "Managing Sensitive Records" in this chapter).

☐ Purge publication reference files of obsolete items.

☐ Set up a new file including in it all pending files being carried over from one year or Congress to the next, leaving a continuity reference form (Optional Form 22) in the inactive file. List all files carried over on a separate sheet and file at the beginning of the non-current files, keeping a copy of the list in the office.

LEGISLATIVE AND COMMITTEE FILES

The creation and maintenance of legislative and committee files should be a priority task in each senatorial office. Important documents normally comprising a bill file or a committee file sometimes are scattered throughout an office. In some instances, they are retained by an individual staff member and either are lost or discarded when the staff person retires or transfers to another job. The files themselves are not always labeled properly or they are buried amidst documents of a transitory, less important nature, or even scattered among the files of several individuals so that no one file adequately documents the member's interest in or efforts on behalf of certain legislation. It is suggested that such files clearly and deliberately be established in an office, preferably but not necessarily, in one central file for the entire legislative staff to consult and use.

In order to determine whether to establish a central bill file or a decentralized bill file (i.e. one in which several staff have responsibility for maintaining different segments of the file), the office manager should weigh the extent of mutual interest in the file. Generally, the greater the mutual interest of two or more staff, the more likely it is that a centralized file can be established. Advantages of centralizing the legislative and committee files in an office include:

☐ Better use of personnel in that one individual can be responsible for filing papers of all legislative professional staff.

☐ Better documentation because concentrating the files provides the best opportunity to control records for complete and systematic documentation.

☐ Streamlined operations as it is easier to plan for use of microphotography, files cutoff, and records disposition.

Whichever system is best for your office, centralized, decentralized, or a combination of both, the important point to remember is to maintain the system by following a regularized disposition routine that is approved by the senator in the plan your office adopts. An office can have decentralized files, as long as control of the files is centralized in a filing plan. It is important to remember that if files are divided among several staff, it becomes necessary to instruct all such staff in appropriate filing techniques.

SUSPENSE FILES

A suspense or tickler file may be set up as part of a centralized file operation (as it is with CMS) or it may be established on an individual basis. The purpose of such a file is to remind that something specific must be done on a certain date. For example, the file could include a brief reminder that a report must be submitted or response to an inquiry is due at a specific time. It may take the form of a 3 × 5 inch desk card file or it may consist of copies of letters or the originals of letters filed by the date that follow-up is required. If original letters are used, they must be interfiled with the appropriate file series upon completion of the necessary action.

FILING EQUIPMENT AND SUPPLIES

Choice of filing equipment and supplies is as important to establishing orderly and workable files as is the design and implementation of an office files plan. Some considerations follow:

☐ *File Cabinets.*—Senate offices most commonly use legal size file cabinets, either four or five drawer. The five-drawer are only slightly higher and provide 25 percent more storage capacity for the same floor space.

☐ *Bookcase Shelves.*—Shelves are most useful for storing reference volumes, journals, and briefing books, thus keeping these bulky items out of the file drawers.

☐ *Folders.*—A medium weight (11 point) kraft folder with reinforced tabs is best for general use. For heavy duty, folders of 18 point kraft or pressboard (25 point) are recommended. For files of permanent value, it is best to choose a folder that is strong, stiff, and durable.

☐ *Folder Labels.*—Most convenient are those in a continuous strip that may be typed, then attached to a file folder. If possible, it is best to set up prelabeled subject files.

☐ *File Guides.*—Most economical are standard weight pressboard (25 point) guides with metal tabs for inserting labels. Such guides can be reused and should be removed before permanent records are forwarded to storage. An average subject file requires ten guides per drawer. Large numeric files require a guide for every ten to twenty folders.

☐ *Computer Printout Binders.*—Recommended for permanently valuable indexes.

ACCESS TO RECORDS

Every office should consider establishing access procedures. Generally:

- ☐ Office practices and regulations should be followed with regard to staff access to records maintained within the office and in attic storage.
- ☐ Staff access to the senator's records in storage at the Washington National Records Center or in an archival or manuscripts repository should be determined by routines approved by the senator.
- ☐ Public access to older records stored in a repository should be specific through guidelines or an agreement approved by the senator, preferably by means of a Deed of Gift or a deposit agreement with the repository. (See Chapter IX for a discussion of access considerations.)
  Access to sensitive records should be governed by the deed or agreement.

PROTECTION OF RECORDS

Recordkeepers are responsible for adequately protecting records in their custody from fire, theft, and any other potential damage or loss. Routine precautions include:

- ☐ Restrict smoking above open file drawers; avoid emptying ash trays in wastebaskets.
- ☐ Avoid leaving records outside on desk tops overnight.
- ☐ Keep follower mechanisms inside the file drawer tight when the file is not in use. (Files stored upright and closely together will recieve less damage in the event of fire.)
- ☐ Keep file room doors locked when a staff member is not present.
- ☐ Store sensitive or classified records in vaults or in secure guarded areas.
- ☐ Learn the location of the nearest fire extinguishers and alarms. Water damaged records can be salvaged; burned records cannot.

MANAGING SENSITIVE RECORDS

Although the Senate does not make use of a formal system of information security arrangements such as that employed by the executive branch, it has a need, nevertheless, to protect sensitive information, whether provided by executive agencies, acquired from private sources, or originated within Congress. The need to continue to protect sensitive information usually lessens with the passage of time. The character of some information is such that its premature disclosure could result in the conveyance of an unwanted political or economic advantage to others. Or release might be regarded as an unwarranted invasion of personal privacy or contrary to sound business practices.

In more specific terms, the following types of information warrant protection within the executive branch and, therefore, might be regarded as "sensitive" within Congress. These materials, so identified and reproduced in Appendix G pertain to or include:

- ☐ National defense or foreign policy (5 USC 552(b)(1)); (E.O. 12356)
- ☐ Classified information (18 USC 952); (50 USC 783)
- ☐ Diplomatic codes (18 USC 952)
- ☐ Intelligence sources and methods (50 USC 403)
- ☐ Identities of certain United States undercover intelligence officers, agents, informants, and sources (50 USC 421)
- ☐ Electronic surveillance information (50 USC 1801)
- ☐ Law enforcement investigatory files (5 USC 552(b)(7)
- ☐ Trade secrets (18 USC 1905)
- ☐ Commercial or financial matters (5 USC 552(b)(4))
- ☐ Personal privacy (5 USC 552(b)(6); (5 USC 552 (a))

While a variety of techniques exist for identifying sensitive information, at least one type of record is presented to Congress with a clear indication of its protected status. National Security Classified documents are marked with identification labels—"Top Secret", "Secret", and "Confidential" by executive branch personnel, indicating that their contents met prescribed standards for the creation of official secrets.

Each senator's office should develop procedures for safeguarding sensitive records. Such procedures include maintaining the records in a secure room or storage area that is protected against unauthorized entry, and by filing such material apart from nonsensitive material, in locked file cabinets or vaults. In addition, a document clerk or recordkeeper should be appointed specifically to manage sensitive documents, and only a small number of staff should be designated as authorized users of sensitive files.

When the senator needs to consult information derived from sensitive documents, it is important that he or she be informed that the material is sensitive.

If such records are authorized for destruction in your office files plan, they should be shredded and not simply tossed into a wastepaper basket. Files containing national security classified documents that are donated to a repository should be clearly identified and separated from other records so that appropriate precautions can be taken when transferring the material. The following guidelines apply only to the transmission of national security classified records. They have been adapted from a National Archives documents security handbook and are included here for general guidance only.

Envelopes and Containers

(1) Whenever classified information is transmitted, it shall be enclosed in two opaque sealed envelopes or similar wrappings where size permits.

(2) Whenever classified material of a size not suitable for transmission in accordance with (1) above is transmitted, it shall be enclosed in two opaque sealed containers, such as boxes or heavy wrappings.

(3) Specialized shipping containers including closed cargo transporters may be used instead of the above packaging requirements. In such cases, the container may be considered the outer wrapping or cover.

(4) Material used for packing shall be of such strength and durability as to provide security protection while in transit, to prevent items from breaking out of the container, and to facilitate the detection of any tampering with the container.

Addressing

(1) Classified material shall be addressed to an official government activity and not an individual. This is not intended, however, to prevent use of office code numbers or such phrases in the address as "Attention: Research Department," or similar aides in expediting internal routing, in addition to the organization address.

(2) Classified written material shall be folded or packed in such a manner that the text will not be in direct contact with the inner envelope or container. A receipt form shall be attached to or enclosed in the inner envelope or container for all material. The inner envelope or container shall be marked with the highest classification of the contents.

(3) The inner envelope or container shall show the address of the sending and receiving activity, classification including where appropriate, the "Restricted Data" marking, and any applicable special instructions. It shall be carefully sealed to minimize the possibility of access without leaving evidence of tampering.

(4) An outer or single envelope or container shall show the complete and correct address and the return address of the sender. Envelopes or containers to be delivered by messenger or courier will show the complete street address and room number.

(5) An outer cover or single envelope or container shall not bear a classification marking, a listing of the contents divulging classified information, or any other unusual data or marks which might invite special attention to the fact that the contents are classified.

ADVICE ON THE ADMINISTRATION OF CLASSIFIED DOCUMENTS AT THE REPOSITORY

It is recommended that the senator's office alert the repository when security classified documents are donated to the repository as part of the senator's collection if the presence of such documents is known. The senator's office may wish to remind the repository that regardless of who owns the classified documents, the classified information in them remains classified until it has been reviewed by a declassifying official. It is assumed that the designated repository will have proper facilities and qualified staff to administer such documents. Declassification review and consultation is available to repository archivists from the National Archives and Records Administration. Archivists who wish may contact the records declassification staff for specialized assistance (202-523-3165). The National Archives is authorized to declassify certain types of classified information. In cases where the Archives does not have that authority, the declassification staff will coordinate any necessary reviews with the appropriate agency.

Chapter V: Micrographics

USE OF MICROFILM IN THE SENATE

The Sergeant-at-Arms provides microform services to the Senate through the Micrographics Section, Reprographics Division, Service Department. These services are available to Senate offices that need to achieve better physical management of large volumes of paperwork and who wish to preserve historical records. Microfilm is used to improve files management by reducing the size of the permanent collection, by facilitating handling and reproduction, and by creating a bound order for better control and security. Archival quality microfilm can be used to preserve information stored on a less permanent medium, such as newspaper clippings, and to maintain a duplicate security copy of important files.

Specifically, Senate offices can use microfilm to save filing space in the office, to control files of excessive volume, to duplicate field office files for use in the central offices, to provide immediate access to paper files stored in off-site locations, and to eliminate bulky computer printouts of newsletter lists and indexes. Historically valuable files, such as old campaign files, may be too fragile to use or even photocopy in paper form. Access to these records can be facilitated through the use of microfilm and the creation of proper indexes to the microfilmed records.

Microfilm Is Not A Panacea

Micrographics can be used to solve some paperwork problems, but not all. It cannot replace the implementation of a comprehensive office filing plan that defines the type of files to be kept by an office and delegates responsibility for maintaining them. By itself, it will not speed up office paper flow, eliminate the need for a file clerk, or end the necessity for searching files. Moreover, documents reproduced on microfilm do not lend themselves to annotation or updating.

Staff Responsibilities

A successful microfilm system requires an index and the preparation of an index requires staff effort. Staff must have time to prepare documents for filing including arrangement of files, preparation of adequate descriptors and targets, and disposal of duplicates and useless reference material. Specifically, a staff member must be assigned responsibility for overseeing the conversion, indexing, and subsequent day-to-day tasks. The office must determine what amount of resources can be allocated to the project to ensure that information can be found easily when it is needed.

PREPARATION OF DOCUMENTS FOR FILMING

Advice on physical preparations necessary to ensure smooth filming is available from the Micrographics Section together with advice on appropriate indexes for specific types of files. An appointment should be made with the supervisor of the Micrographics Section to plan the conversion and to design operating procedures. Generally, these steps are necessary to prepare files:

(1) Arrange the file series in strict order, either numerical, chronological, or alphabetical. Refile any records that are misfiled.

(2) Remove and discard duplicates, reference material, and envelopes.

(3) Discard all newspaper clippings attached to constituent mail, unless their content cannot be understood from the constituent letter.

(4) Perform the following preparatory steps:

—Include paper in a file the same general size (the maximum size that can be filmed is 11½ x 18 inches).

—Face all documents in one direction, making sure that any document numbers appear on the first sheet of each individual file.

—Remove staples and paper clips.

—Straighten folds and flatten wrinkles.
—Mend tears with transparent tape.
—Cross-out writing on the reverse side of any document that you do not wish microfilmed.
—Mount on carrier sheets those pieces smaller than 3 x 5 inch cards as well as all newspaper clippings.
—Remove binding from material which is bound.

(5) If the senator and repository archivist have determined that any of the files scheduled to be microfilmed are of historical research value *in paper form* (i.e. letters signed by the president, congressmen, cabinet members, governors, state legislators, famous people, important correspondence), remove the items and replace them with an electrostatic copy.

Write the file number in pencil on the back of the originals and file them in numerical or chronological order in a specially created file entitled "Historical Letters Worth Saving—date." This special file should be forwarded to storage or the selected repository for safekeeping.

(6) Prepare a title page and insert it to be filmed as the first frame. Typed on a sheet of plain paper, it should include the title of the file, the type of records, and the inclusive dates.

(7) If your office uses an indexing system (such as AIS), and if the files have been indexed, a copy of the index should be microfilmed as well. The index should be in the same order as the files, such as in document number order, date order, name order, etc.

(8) Prepare target sheets—inserts that identify briefly the sequence of records that follows. They can include inclusive dates, inclusive numbers, or a portion of the alphabet. File at appropriate places in the file (i.e. the beginning of each individual file folder, or at predetermined intervals, such as every fifty letters, etc.).

(9) Determine the type and degree of indexing required to locate material on each roll of film. (See section on indexing in this chapter.)

(10) Forward material to the micrographics section for filming.

(11) When microfilm is received, check for completeness and accuracy.

(12) Disposition of paper files that are microfilmed should follow suggestions stated in Chapter II. It is also advisable to consult with the respository archivist.

WHAT TO MICROFILM

Microfilm storage and retrieval are most efficient when records have a high reference activity and users need immediate access to an entire records collection. Microfilming should be done when all files in a series are completed because an incomplete file tends to be of less research value. Factors determining the effectiveness of microfilming include:

☐ The information will be used by the office or repository staff in the future.
☐ The information is needed at a single location where there is a high reference rate, or at numerous locations having a moderate to low reference rate.
☐ The existing paper system cannot meet user requirements for information as effectively as a microfilm system.

Microfilming Automated Files

Recommendations for microfilming automated files can be found in Chapter III in the section covering Senate Computer Center systems.

Microfilming Paper Files

The types of files listed below have the potential, depending on the use made of the file in an individual office, of meeting at least two of the criteria for effective microfilming. *In none of the cases listed should the paper files be destroyed without first discussing their ultimate disposition with the senator and repository archivist, if a repository has been selected. It is important not to destroy any papers of historic value.*

☐ Congressional Record Inserts (The paper is of poor quality; microfilm will last longer.)
☐ Job Recommendations (To retain for administrative use, but dispose of the originals.)
☐ Campaign Files (Some of the items may be on paper of poor quality, and there may be a need to ensure that this sometimes illusive file is preserved intact for future use.)
☐ Constituent Correspondence or Issue Mail (To reduce bulk.)
☐ Casework (To reduce bulk.)
☐ Grants and Projects (To reduce bulk.)
☐ Speeches (To ensure that the file is preserved intact.)
☐ Press Releases (To ensure that the file is preserved intact.)
☐ Newletters and Columns (To ensure that the file is preserved intact.)
☐ Newspaper Clippings (The paper is of poor quality; microfilm will last longer.)
☐ State Office Constitutent Correspondence and Casework (This can be forwarded to Washington to be microfilmed.)

Besides the above listed files, an office may wish to microfilm legislative assistants', administrative assistants' or key staff project files to ensure that a complete set of such files are retained as part of the senator's collection.

INDEXING OF MICROFILM

A microfilm system is only as useful as its index. Retrieving microfilmed documents can be done more expeditiously and accurately by preparing an index to the film. The order of the index should follow the order of the microfilmed files, either chronological, numerical, or alphabetical.

All microfilm is produced with a "blip code" and microfilm number, which are assigned to each page being filmed. The number can be used by staff to prepare detailed indexes which reference every page or to indicate target points on the film which specify certain documents.

There are three types of indexing techniques from which to choose:

☐ **Internal**—An index to the documents is prepared and after the documents are filmed, the frame numbers are added to the index entry. The index pages then are filmed and either spliced to the "head" end of the film or filmed on a separate index cassette or cartridge.

☐ **External**—Index entries are prepared on index cards or in a log book. Microfilm roll and frame numbers are added to the index after the documents are filmed. (While this format can be most convenient for research use, it is recommended that such an index also be microfilmed, and a copy kept with the film.)

☐ **Automated**—The Automated Indexing System (AIS) is used to produce indexes, usually for material generated by The Correspondence Management System (CMS). (For a discussion of these systems see Chapter III, Automated Records.) Indexes in a variety of formats may be obtained on computer output microfilm (COM) or a regular printout. If COM is selected by an office, it is necessary to request an index that is arranged in the same order that the files are arranged because microfilm frame numbers cannot practically be added to a COM index. If printouts of an index are ordered, it is possible to enter the roll and frame numbers onto the printout, and have the printout filmed as a security copy.

ARCHIVAL STORAGE REQUIREMENTS

Microfilm production at the Micrographics Center includes the production of a master silver halide negative that is processed according to archival standards and is stored at the Center until the end of each senatorial term at which time it is returned to the member's office. The silver negative should *not* be used for reference in an office and *it must be stored under archival conditions.* (Relative humidity of 20 to 40 percent and temperature not to exceed 70° F, with rapid changes of over 5 percent in a 24-hour period being avoided.) Transfer to a designated repository is recommended. Temporary archival storage is also available at the Washington National Records Center. (See Chapter VIII.) The master negative should only be used to make a duplicate copy for reference use in the office or at the repository. *Under no circumstances should archival master negatives be stored in attic lockers as excessive heat and humidity will cause permanent deterioration.*

Senators may order as many diazo reference copies as they need. Some senators, for instance, have two copies made, one for their office and one for a repository or field office.

When ordering microfilm, staff should specify a reduction ratio of 24X whenever document size permits. Either 16mm cartridge or cassette is available.

INSPECTING THE MICROFILM

The Micrographics Section performs quality control on all of its products. However, each roll of microfilm should be carefully checked again by staff for any missing pages, for the sequence of documents, the legibility of each exposure, and the legibility of the index number assigned to each document. This is especially applicable if the senator, the repository archivist, and staff have decided to destroy the documents which have been filmed.

Chapter VI: How to Create Subject Files and Subject Indexes

THE PURPOSE OF A SUBJECT FILE

Subject Files are set up in an office when staff have a need to file or index records that document administrative and legislative functions that are not related to a specific piece of legislation, committee assignment, constituent casework, or project. Generally, issue mail, campaign files, legislative and administrative assistant's files, staff project files, reference files and certain press files are arranged or indexed by subject.

The ability to distinguish between the type of document which should be filed in a legislative or committee case file and a subject file is indispensible to any good files operation. This becomes even more important in the automated office where outgoing correspondence stored on magnetic media must be consistently categorized and indexed for retrieval purposes. While a subject file contains items that document general planning and operations of an office, a legislative "bill" file or committee case file documents the member's and staff work on a *specific* piece of legislation or committee assignment. Project work and constituent casework files likewise contain documents relating to each specific case. Issue mail, on the other hand, covers a wide variety of topical issues and one letter can contain more than one topic. Issue mail, traditionally, is either filed and arranged by subject or is indexed by correspondent and subject on an office automation system.

SUBJECT INDEXES

A complete written list of topics that each office expects to use in filing and indexing must be created before the file is either set up in hard copy or is stored on magnetic media. The list should include codes for various file types such as casework, issue mail, invitations, requests, projects, legislative assistant memos, administrative memos, and so forth.

Specific subject categories should be selected and arranged into a classification outline that includes topics and subtopics. No one needs to be one hundred percent perfect in preparing in advance all necessary topics. A recordkeeper is sure to discover some needed topics he or she did not foresee. These, of course, can be added when they arise.

Useful reference guides for compiling a list of subject terms or an office thesaurus are the *Legislative Indexing Vocabulary: The CRS Thesaurus*, 15th edition, and the companion microthesaurus, *Congress and Congressional Operations: An Alphabetical Microthesaurus of Terms Selected from the Legislative Indexing Vocabulary*, both compiled by Shirley Loo, CRS Specialist in Information Control and Automated Systems. These are available to staff from the Library Services Division, Congressional Research Service, Library of Congress, Washington, DC 20540.

STEPS TO CREATE A SUBJECT OUTLINE

1) List topics now used in the current office subject file, if there is one. If your office does not have an older subject file, review correspondence that has accumulated for the past month to ascertain the subject categories and refer to the CRS thesaurus previously cited.

2) Review your preliminary list to determine whether there are sufficient topics to cover all of the acitivities of the office. Be sure to delete from your list any topics covering records no longer created.

3) Before inserting a new topic, a recordkeeper should determine if the need really exists, or has a usable topic been overlooked because it is expressed in unfamiliar wording.

4) Clear wording is essential for all subject topics. Choose terms understandable to everyone using the files. Terms should be as exclusive as possible, and they should be precise to encourage filing at the most specific level. In choosing the best term, keep in mind: a) the way in which records are requested; b) the breadth of the file content; and c) the need for detail as governed by the volume of records.

The biggest question in meeting these requirements is whether to choose terms that denote processes, classes, or items:

Processes—actions taken, such as investigations, mark-ups, and appropriations.
Classes—groups of items such as State Department, NASA, and Small Business Administration.
Items—specific things making up the broader class such as under NASA, space shuttle, space suits, Project Mercury, etc.

In choosing topics, try not to mix processes, classes, and items at the same classification level. Subjects, ideally, should be parallel in construction whenever possible. For example:

Primary Topic—Appropriations.
Subtopics—Justice Department, Small Business Administration, State Department.

or

Primary Topic—Justice Department.
Subtopics—Appropriations, Authorizations.
Primary Topic—State Department.
Subtopics—Appropriations, Authorizations.

5) Complete your final office subject outline by placing your topics in the exact desired sequence. Type the outline, leaving adequate space between topics for any necessary definitions or additions.

6) Test your outline by using approximately one month's papers to see if all topics are covered. Ideally, your list should provide a logical home for every paper filed by subject in your office.

7) Review the list with users to help build confidence in using the file and to improve it through suggestions.

If the quantity of records is comparatively small, the subject categories should be broad and few. As the quantity of records increases, so does the need for more numerous and precise categories.

Staff should keep in mind that an excessive number of subject subdivisions complicates the files structure and slows down the tasks of searching and filing. There are, however, two exceptions to the general rule that the volume of records determines the number and breadth of subject categories. First, regardless of volume, a separate primary topic (with subdivision as needed) must be established for unique papers that cannot be subordinated under any other subject. Second, providing for familiar terms (or subjects) used in a particular office may dictate the adoption of more primary categories than volume would support.

If a new topic must be added, the recordkeeper must determine whether to add a new primary topic or a subtopic. For example, if an office has a topic "transportation" and needs to add entries for airplanes, autos, and railroads, it is logical to add them as subtopics under "transportation." The term "transportation" can then be reserved for general information concerning transportation or for items which do not fit in one of the three subtopics.

CONSIDERATIONS FOR CREATING A SEPARATE NAME INDEX TO THE SUBJECT FILE

Factors To Consider

☐ Are the records frequently requested by the names of individuals or organizations, rather than by subject?
☐ Is the correspondence filed in the subject file with many different persons or organizations, and does the correspondence cover a wide variety of subjects?
☐ Is the quantity of subject-files material large (over one file drawer per year)?

If the answers to these questions are "yes," you should consider creating an index to the subject file. On the other hand, offices should not hesitate to discontinue maintaining an alphabetic index that is little used.

Steps To Create A Name Index (for correspondence not produced through CMS or stored on magnetic media.)

(a) The index should consist of extra copies of outgoing letters, in a distinctive color, or a copy produced by an office copier.
(b) The work of keeping up a name index can be reduced if a limit is placed on the type of letters for which extra copies are made. For example, correspondence with agency officials, important professional organizations, consultants, and members are most often asked for by name. It probably would not be efficient to index "pressure" mail or "issue" mail.
(c) When the recordkeeper marks the subject copy for filing, he or she should at the same time mark the index copy. The file designation of the subject copy should be marked on the upper right corner of the name index copy. Also, the name or title under which the index copy will be filed should be underscored on the subject file copy.

FILING DOCUMENTS INTO A SUBJECT FILE AND INDEXING AUTOMATED FILES

When filing documents into a subject file or indexing keep in mind the following:

☐ Determine the primary subject matter content of the document, and any secondary subject which should be cross-indexed.

☐ Refer to your Office Subject Outline for the most appropriate file designation.

☐ When the subject is not determined easily, consider why the correspondence was prepared and/or refer to documents on file to verify a selected file designation.

☐ Do not classify by words alone—topics appearing in the subject line may not represent the proper topic covered in the text.

☐ Determine necessary reference. If the paper involves more than one primary subject topic and there is a good possibility it will be asked for by either, index under one and cross-reference under the other.

☐ Code the paper and place a file classification designation in the upper right corner. The classification designation can then be used to index the reply to the communication. This becomes especially important in offices storing replies on magnetic media.

☐ Be consistent.

Chapter VII:
What to Discard

The following types of documents may be weeded before files are sent to storage if approved in advance by the senator with the advice of the receiving archives or manuscript repository:

☐ duplicate copies of speeches, reports, bills, etc.
☐ "orchestrated" pressure mail—save an example together with a CMS printout of names and addresses.
☐ printed congressional documents normally found in libraries designated as depositories for federal publications
☐ "crank" files
☐ pressure group publications
☐ articles sent to the senator for insertion in the *Congressional Record*
☐ congratulatory messages on the senator's election or reelection (except for state and national VIPs)
☐ thank you letters and condolence letters
☐ routine requests for information that were referred elsewhere
☐ routine congratulatory messages (to high school graduates, newly-naturalized citizens, etc.)
☐ requests for government publications, flags, photos, etc.
☐ page applications
☐ job applications and resumes
☐ declined invitations to dinners, speaking engagements, etc.
☐ service academy appointment files (those of candidates not appointed)

Chapter VIII: Courtesy Storage at the Washington National Records Center (WNRC)

SERVICE AVAILABLE

The Washington National Records Center provides temporary storage for the inactive records accumulated by senators and representatives during their terms in Congress. Since these documents are the personal property of the legislator involved and not records of the government, the Center stores them on a courtesy basis. The facility offers secure, economical storage designed to assist members and their staff in the management and disposition of voluminous office files.

Long term members who accumulate a large quantity of records at the Center are encouraged to choose a final repository and begin to transfer their papers before they leave office. Assigning separate accession numbers to individual file series will facilitate this process.

The Center is not authorized to hold records of former members and is not authorized to pay for shipping records of members or former members. All records stored in the Center should be designated for shipment to the final repository before the member's franking privilege expires (90 days after the member leaves office). In addition to storage, the Center also:

(1) Furnishes advice and guidance to the congressional office staff on the proper procedures to be followed in "breaking" files, and retiring and transferring records to the Center.

(2) Furnishes, without cost, storage cartons for the records (FRC box). These standard size cartons *must be used* when storing records at the Center, since they are specifically designed to fit on the available steel shelving. If, however, you have oversize material to store, special arrangements can be made by calling the Center.

(3) Provides transportation for boxed records from the Senate office buildings and the Capitol to the Center. Regional storage for state office files is also available. Information about such storage can be obtained by calling the Center. (A list of regional centers appears at the end of this chapter.)

(4) Provides retrieval service for the stored records when a senator needs to refer to a retired record. The Center's goal is to furnish such service within a 24-hour period following receipt of the request.

(5) Assists senators at the conclusion of their congressional service by advising on the physical transfer of records to the designated permanent repository.

HOW TO TRANSFER RECORDS

To Retire Records (763-7504)

(1) Call this number in order to obtain an accession number for records to be retired to WNRC.

(2) Obtain a new accession number for each series of records that are shipped to the Center.

(3) Each time you send files to the Center, you must obtain a new accession number. This number goes on all copies of the transfer form SF 135 and in the upper left hand corner of each FRC box (see diagram).

(4) Ship only file series** which meet the following criteria:

☐ The series is not needed to carry out current office business.

☐ It needs to be referred to only occasionally, not more than once a month per file drawer in the normal course of events.

(5) Any classified and sensitive material should be boxed and listed separately with a unique accession number to ensure better control and security. In addition, any magnetic tapes, motion picture film, or microfilm should be boxed and listed separately so

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**A file series is a group of file units or documents arranged in accordance with a filing system (chronological, alphabetical, numerical) or maintained as a unit because they relate to a particular subject of function, result from the same activity, have a particular form (such as magnetic tape, microfilm, etc.), or because of some other relationship arising out of their creation, receipt, or use. Examples of typical file series in a senator's office include personal correspondence, VIP mail, academy appointments, casework files, issue mail, appointment books, etc.

that it can be placed in special vaults designed to store information on a more fragile medium.

(6) Establish routine transfers, either semi-annual or annual, to avoid the end-of-Congress rush.

Transfer Forms (763-7504)

(1) All transfers must be documented on the Standard Form SF 135 (Records Transmittal and Receipt), available from the Center.

(2) It is extremely important that these forms be filled out correctly. If they are incorrectly or incompletely executed, it may not be possible to provide rapid retrieval of a particular carton, folder, or document when needed for reference by the member.

(3) It is wise to make your SF 135 form as detailed as possible to locate particular files. For example, if you are transferring a subject file it would be best to list the subjects included in each box. Sometimes, SF 135s become a finding aid for the repository to which the member's papers are ultimately sent.

(4) Send the original and two (2) copies of the SF 135 to:

Washington National Records Center
Chief of the Accession and Disposal Branch
Washington, DC 20409

(A receipt of the transmittal will be mailed to your office)

Boxes (523-3194)

(1) *Always* use the special Records Center one cubic foot box when retiring records to the Center. These boxes are free and can be obtained by calling the above number.

(2) Boxes are delivered flat and in bundles of twenty-five. Usually a legal size file drawer equals two FRC boxes; a letter size drawer equals one and a half FRC boxes.

(3) Place the accession number on the upper left hand corner of each FRC box and number the boxes consecutively, "1 of 15", "2 of 15", etc. (one FRC box=one cubic foot; see diagram).

(4) When the center has scheduled records for pick-up, do not add boxes to the shipment at the last minute. Accession numbers are assigned by an automated space management system according to the exact amount of space requested on the SF 135.

(5) Discard disposable material (listed in Chapter VII) before transferring records to the Center.

Pick-Up of Records (763-7510)

(1) Upon receipt of the SF 135, the Center will schedule your records for pick-up.

(2) If you have already mailed your SF 135, you may call the above number to facilitate the pick-up of your files.

(3) Normally, your records will be picked up within two to five working days.

(4) You will receive a phone call just prior to pick-up.

Reference Service (763-7010)

(1) Call this number to have your records permanently or temporarily returned to your office.

(2) You must always give the clerk the accession number and the box numbers of the records you wish to have returned. You may order the entire box, or as little as one file folder.

(3) To facilitate the return of your records, give the clerk the location of the records. The location can be obtained by referring to your copy of the SF 135, item "J".

Technical Assistance (763-7504)

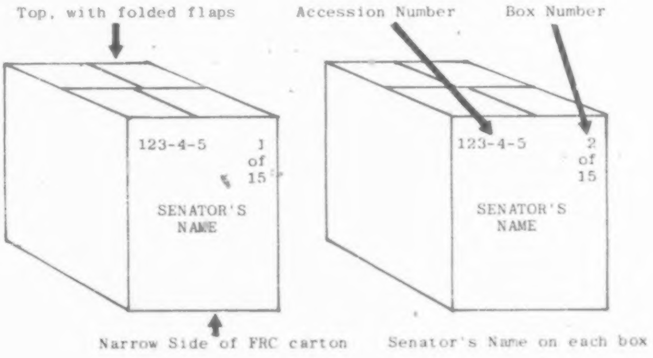
For technical assistance and information, call the above number and ask for the Congressional Liaison Officer.

Labeling Requirements For Federal Records Center Boxes

(a) Write the accession number in heavy black marker on the narrow side of each box, in the upper left corner.

(b) Number the boxes consecutively in the upper right corner, "1 of 15", "2 of 15", "3 of 15", etc., starting with number one for each new accession.

(c) Write the member's name under the accession number.



Regional Federal Records Centers

Mailing Address

Federal Archives and Records Center (617) 839-7745
380 Trapelo Road
Waltham, Massachusetts 02154

—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Federal Archives and Records Center (201) 858-7161
Military Ocean Terminal
Building 22
Bayonne, New Jersey, 07002

—New York, New Jersey, Puerto Rico, Virgin Islands

Federal Archives and Records Center (215) 951-5588
5000 Wissahickon Avenue
Philadelphia, Pennsylvania 19144

—Delaware, Pennsylvania, and U.S. court records for Maryland, Virginia, and West Virginia

Federal Archives and Records Center (404) 763-7438
1557 St. Joseph Avenue
East Point, Georgia 30044

—North Carolina, South Carolina, Tennessee, Mississippi, Georgia, Florida, and Kentucky

Federal Archives and Records Center (312) 353-0164
7358 South Pulaski Road
Chicago, Illinois 60629

—Illinois, Wisconsin, Minnesota, and US. court records for Indiana, Michigan, and Ohio

Federal Records Center (513) 225-2878
3150 Bertwynn Drive
Dayton, Ohio 45439

—Indiana, Michigan, and Ohio (except U.S. court records)

Federal Archives and Records Center (816) 926-7271
2306 East Bannister Road
Kansas City, Missouri 64131

—Kansas, Iowa, Nebraska, and Missouri (except greater St. Louis area)

National Personnel Records Center (314) 263-7201
(Civilian Personnel Records)
111 Winnebago Street
St. Louis, Missouri 63118

—Greater St. Louis area (Missouri only)

Federal Archives and Records Center (817) 334-5515
Post Office Box 6216
Fort Worth, Texas 76115

—Texas, Oklahoma, Arkansas, Louisiana, and New Mexico

Federal Archives and Records Center (303) 234-5271
Building 48, Denver Federal Center
Post Office Box 25307
Denver, Colorado 80225

—Colorado, Wyoming, Utah, Montana, North Dakota, and South Dakota

Federal Archives and Records Center (415) 876-9003
1000 Commodore Drive
San Bruno, California 94066

—Nevada (except Clark County), California (except southern California), American Samoa

Federal Archives and Records Center (714) 831-4220
24000 Avila Road
Laguna Niguel, California 92677

—Arizona, Clark County, Nevada, and southern California (counties of San Luis Obispo, Kern, San Bernardino, Santa Barbara, Ventura, Orange, Los Angeles, Riverside, Inyo, Imperial, and San Diego)

Federal Archives and Records Center (206) 526-6501
6125 Sand Point Way
Seattle, Washington 98115

—Washington, Oregon, Idaho, Alaska, Hawaii, and Pacific Ocean area (except American Samoa)

RECORDS TRANSMITTAL AND RECEIPT Complete and send original and two copies of this form to the appropriate Federal Records Center for approval prior to shipment of records. See specific instructions on reverse.

PAGE 1 OF PAGES

1. TO (*Complete the address for the appropriate records center serving your area*)

Federal Archives and Records Center
General Services Administration

As shown in FPMR 101-11.410-1 ▶ Washington National Records Center
Washington, DC 20409

5. FROM (*Enter the name and complete mailing address of the office retiring the records. The signed receipt of this form will be sent to this address*)

Senator's Name
Office Building, Room No.
Washington, DC 20510

2. AGENCY TRANSFER AUTHORIZATION	TRANSFERRING AGENCY OFFICIAL (*Signature and title*) (sign)	DATE
3. AGENCY CONTACT	TRANSFERRING AGENCY LIAISON OFFICIAL (*Name, office and telephone No.*) Staff member's name, address, tel. no.	
4. RECORDS CENTER RECEIPT	RECORDS RECEIVED BY (*Signature and title*)	DATE

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6. RECORDS DATA

ACCESSION NUMBER									COMPLETED BY RECORDS CENTER			
RG (a)	FY (b)	NUMBER (c)	VOLUME (cu. ft.) (d)	AGENCY BOX NUMBERS (e)	SERIES DESCRIPTION (*With inclusive dates of records*) (f)	RESTRICTION (g)	DISPOSAL AUTHORITY (*Schedule and item number*) (h)	DISPOSAL DATE (i)	LOCATION (j)	SHELF PLAN (k)	CONT. TYPE (l)	AUTO. DISP. (m)
*	*	*	1 FRC box= 1 cu. ft. ex. 4	1-4	Obtain titles of series from the handbook, Files Maintenance and Disposition for Senator's Offices (available from the Office of the Secretary of the Senate, Senate Historical Office) Also include the Senator's Name and inclusive dates of the records. Note: Records restricted to personnel of Senator's office.							

135-106

* Obtain from Records Center

Standard Form 135 (Rev. 6-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.4

RECORDS TRANSMITTAL AND RECEIPT (Continuation)	This form is to continue listing of Records Data when space on SF 135 is not adequate. Instructions for completion of SF 135 apply.	TRANSFERRING AGENCY'S NAME	DATE	PAGE OF PAGES

ACCESSION NUMBER			VOLUME (cu. ft.)	AGENCY BOX NUMBERS	SERIES DESCRIPTION (*With inclusive dates of records*)	RESTRICTION	DISPOSAL AUTHORITY (*Schedule and item number*)	DISPOSAL DATE	COMPLETED BY RECORDS CENTER			
RG	FY	NUMBER							LOCATION	SHELF PLAN	CONT. TYPE	AUTO. DISP.
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)

135-203

☆ U. S. GPO:1977-0-261-647/3207

STANDARD FORM 135–A (Rev. 6–76)
Prescribed by GSA
FPMR (41 CFR) 101-11.4

Chapter IX:
Donating a Collection of Senator's Papers

DETERMINING THE CONTENTS OF A SENATORIAL COLLECTION

In addition to records routinely maintained in a senator's office, material documenting a senator's contributions to the Senate may be found in records of committees, and party leadership positions. The senator's records manager or repository archivist should take this into consideration when determining which records portray the senator's role most fully.

If a senator served as chairperson of a committee or subcommittee, it is possible that the committee's records will contain unique information documenting the senator's career. Senate Rule XXVI, section 10, defines ownership of committee records:

> All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as chairman; and such records shall be the property of the Senate and all members of the committee and the Senate shall have access to such records.

If, however, the records manager or the repository archivist feels that the senator's full contribution to the Senate is not sufficiently reflected in the congressional office papers, the senator may ask the committee for permission to copy certain records and include the copies with his or her personal collection. The committee should indicate whether the senator will be entitled to release such documents and when, or whether control over public release will remain with the committee. Public access to committee records at the National Archives is defined by Senate Resolution 474 (December 1, 1980), 96th Congress.

If a senator served in a Senate leadership or party position, such as Majority or Minority Leader, Assistant Majority or Minority Leader, Democratic Conference Secretary, Republican Conference Chairman, Republican or Democratic Senatorial Campaign Committee Chairman, or as a leader of a party, regional, or special interest caucus, the archivist should make a determined effort to include the records resulting from this service. Such records generally are not considered to be official records of the Senate and they appropriately could become part of a personal collection.

The Republican and Democratic Policy Committees are excluded from this political category. Policy committee records are considered to be official records of the Senate and as such remain in the custody of the Senate.

Sometimes committee records inadvertently find their way into senatorial collections. When this is discovered, the repository should identify and describe the material accurately and fully, and provide such information to the committee. Either the files themselves or a microfilm copy should be returned to the committee for deposit in the National Archives. The Senate Historical Office may be consulted for assistance in such instances.

SELECTING A REPOSITORY

The most important step in planning for the preservation of permanently valuable papers is the selection of a suitable repository. Due to the size of most senators' collections and the expense associated with their shipment, processing, and storage, it is advisable for senators to arrange to ship their inactive files to a designated homestate facility on an incremental basis, usually at the end of each Congress. Relatively few institutions are prepared on short notice to handle efficiently the files covering a member's entire career.

Generally, the process of locating an appropriate facility and negotiating a deposit agreement requires a year. Homestate libraries, universities, and historical societies are likely choices and several factors should be considered before a final selection is made. To assess the quality and suitability of an institution, the senator should determine whether the repository has:

☐ adequate funding and a professionally trained staff to administer the papers properly.

☐ adequate research facilities and an accessible location.

☐ close ties to university faculties in history, political science, and other disciplines related to the senator's congressional career.

☐ sufficient secure storage space with proper temperature (70 degrees Fahrenheit, + or −2 degrees) and relative humidity of 50 percent (+ or −5 percent, avoiding humidity over 70 percent).

☐ papers of others members of Congress.

☐ a strong collection of government documents including congressional publications.

☐ programs to stimulate the research use of its collections (exhibits, travel grants, etc.).

☐ a location in the senator's home state.

☐ experience in handling records of a sensitive nature.

☐ reading equipment for microfilm compatible with that of the senator's office.

☐ computer center facilities where Automated Indexing System (AIS) magnetic tapes can be processed.

In addition, the senator may wish to inquire about the availability of a professional archivist from the chosen repository to visit Washington, DC to provide on-the-scene consultation. An initial visit might last two weeks or more, with annual follow-up calls of a week's duration. Alternatively, a senator may wish to hire a local archival consultant to survey files, identify permanently valuable records, and prepare records for storage at the Washington National Records Center or transfer to a repository.

THE DEPOSIT AGREEMENT AND DEED OF GIFT

Before shipping records, the senator and the repository should have, at a minimum, an "understanding" governing access to, preservation and ownership of the collection. Such an understanding can be documented by an exchange of letters at the outset, but should be formalized as soon as possible by a legal instrument such as a deposit agreement or a deed of gift.

A deposit agreement documents the physical placement or "deposit" of records in a repository without transfer of title. A deed of gift, on the other hand, documents the transfer of title to the collection from the donor to the repository.

The following points should be addressed in a legal document. They have been adapted from an article, "The Gift and the Deed," by Trudy Huskamp Peterson, which appeared in volume 42, no. 1 of *The American Archivist,* 1979.

☐ When will ownership be transferred?

—An outright gift, transferring legal title to the repository by a deed of gift?

—A deposit agreement specifying the creator or the heirs of the creator, as the owner, with a statement of intent to transfer legal title at a specific future date or upon the donor's death?

☐ What is the material being deposited or deeded?

—Everything? If so, information about the creator, the volume of material, and inclusive dates can be incorporated into the introductory paragraphs of the legal instrument.

—Portions of the collection, some now, some later, perhaps as the collection is processed? In this instance, detailed archival descriptions of individual segments may be appended to the legal instrument as each segment is donated. This is useful if the donor physically transfers the collection at one time, but donates legal title to individual segments over a period of time.

☐ Who is the recipient?

—A privately-owned repository?

—A State-owned repository, either a state university, a state university archives, a state library, or a state archives? If legal formalities require that the state be the formal recipient, rather than the archives of a specific state-owned institution, the donor may wish to specify that the donation is to the state "for purposes of deposit" in the archives of the specifically named state institution.

☐ When will the collection be open for research?

—As soon as processing is completed, with the exception of "sensitive" materials?

—Within a specified period after the senator leaves office?

—Upon the senator's death?

☐ Who can designate "sensitive" material?

—The senator or his or her heirs, through the deposit agreement or deed, either in great detail, or in general terms allowing the archivist to determine what materials fall into which categories?

—The archivist, who may be required to review the files and establish what can be made available and when; or who may suggest amendments to a deed to restrict access to certain categories of material, to allow access to others; or who may be required to have the donor or a designee of the donor approve materials selected for opening?

☐ Who will control access to "sensitive" material?

—The library/archives?

—The senator or his or her heirs?

—A board composed of the senator (or representatives of the senator's family), or the staff of the library/archives, and faculty?

☐ What will happen to records and publications the library/archives does not wish to retain?

—Blanket authority to destroy, or otherwise dispose?

—Donor will be notified of materials to be discarded with the option of having them returned, or destroyed?

☐ Who holds the copyright?

—The senator or heirs of the senator?

—The archives/library, through a *specific statement* assigning such rights in a deed of gift?

☐ Does the deposit agreement or deed of gift cover subsequent transfers of records to the repository by including a provision saying that all subsequent deposits or donations will be made in accordance with the present agreement or deed?

—If this is included, subsequent transfers can be authorized by the donor and the archives signing a statement to the effect that the materials are transferred "in accordance with the agreement." A description of the transferred material, together with the signed statement, can be appended to the deposit agreement or the deed, thus eliminating the need to write a new instrument each time material is transferred.

SHIPPING RECORDS TO A DESIGNATED REPOSITORY

There are two basic ways to proceed: A transfer or freight company can be hired at either the senator's or the repository's expense. Some people prefer this method because the shipment probably would receive better treatment and arrive at its destination intact. This method, of course, is not entirely foolproof because records can be damaged in transit regardless of whether or not the carrier is a private company.

Second, as stated in the *Congressional Handbook*, section I, page 216, "Expenses for the shipment of personal records, equipment, or articles are not reimbursable. Provisions are available for the shipment of *official records* using either the franking privilege or mail and delivery services paid from the Official Office Expense Account." If the franking method is chosen, certain precautions must be taken to ensure as much as possible a safe shipment.

Boxes: Federal Record Center (FRC) boxes are available from the National Archives (523-3194). There are delivered flat (unassembled) in bundles of twenty-five. These "tuck bottom" cartons measure 10 x 12 x 15 inches and hold either legal or letter size files. For shipping through the postal service, each box must not weigh more than 70 pounds.

Labels: A franked label must be attached to each box. A rubber address stamp is most useful for addressing labels for large shipments.

Tape: Each box should be taped with either asphalt tape or a strong filament tape. Brown package tape should not be used as it is not strong enough. Beth Ormond (4-3382) in the Senate Stationery Room can help select a suitable tape and dispenser.

Containers For The FRC Boxes: There are two methods for shipping the boxes after they have been packed. Although some offices simply mail the boxes, this is not recommended because in the event a box is damaged during shipment, the contents would spill and perhaps be lost. In addition, a single box is more likely to become lost or damaged.

First (and best), special metal containers (enclosed on three sides with webbing on the fourth) may be obtained through the Senate Postmaster. The metal containers hold from 12 to 16 FRC boxes, and the boxes should remain in the containers until they reach the repository. For large shipments, it may also be possible to obtain through the Postmaster a special truck which would be used for the entire shipment, thus minimizing the possibility of loss.

A second method frequently used, but perhaps not as good, is the First Class Mail "orange bag." These may be ordered, along with the necessary labels and tags, from the Senate Post Office. The Postmaster should be consulted concerning labeling procedures. Use of the orange bag would keep the contents of a box together in the event the box were damaged in transit.

Insurance: Since insurance would not prevent damage to or loss of the records, certification or registration are alternatives. Both would cost the office an amount over and above the frank as the frank only covers postage. An additional fee of $3.30 per box would be required to register; a somewhat lesser amount to certify. Certification would not prevent loss, but in the event a box were lost, it might be easier to track. Registered mail, on the other hand, would provide greater security as it is handled in a totally different manner. Registration might be used selectively for very valuable records.

Inventories: An inventory of folder titles in each box should be prepared. One copy should be packed in each box to serve as an invoice, and the office should retain a complete inventory for the senator's use and to serve as a check on all shipments.

SAMPLE DEPOSIT AGREEMENTS

Following are two sample deposit agreements. Additional samples are available from the Senate Historical Office (224-6900), or from most major libraries and archives.

Agreement of Deposit and Dedication

This agreement, made and entered into on the ____ day of ______, 19__, by and between Senator ________ ("the Donor"), and the University of Nevada Reno, located in Reno, Washoe County, Nevada

Witnesseth That:

Whereas, the Donor now holds the office of United States Senator from the State of ________ and has collected various papers and materials which are of significant historical value ("the Materials"); and,

Whereas, the Donor is desirous of establishing a suitable depository for the Materials, wherein the Materials will be maintained and preserved and will be available, under the conditions hereinafter set forth, for the purposes of historical interest, research, and study, and the University of Nevada Reno has agreed to provide such a depository and is prepared to preserve and maintain the Materials.

Now, therefore, in consideration of the premises and the undertakings herein set out, it is agreed between the parties as follows:

(1) In accordance with and subject to the terms, conditions and restrictions hereinafter set forth, the Donor does hereby convey, transfer, and assign to the University of Nevada Reno, the Materials which are listed or described on Exhibit A attached hereto and made a part hereof.

(2) The Donor, nevertheless, does hereby reserve unto himself a life estate in the Materials, with the right to control the same, provided that such control shall be consistent with the purposes and intent of this Agreement.

(3) The Donor hereby declares his intention to transfer his title to all materials covered by this deposit to the University of Nevada Reno by execution of an instrument of gift at the time of his retirement from public office and further declares his intention to provide in his will that, upon his death, title shall pass to the University of Nevada Reno, if such instrument has not been executed previously. Title shall remain in the possession of the Donor until that time.

(4) It is intended that the Materials be deposited in the University Library of the University of Nevada Reno, and that the same shall be maintained in the Special Collections Department of that Library. At any time after delivery of the Materials to the University, the Donor or his representative shall have full access to the same during the regular hours for the depository.

(5) It is the Donor's wish that the Materials be made available for research as soon as possible, and to the fullest extent, following their deposit in the University Library. It is also the Donor's intention that the Materials be made available for research in a manner consistent with personal privacy and national security considerations. Accordingly, while the Donor is in office, Materials deposited under this agreement shall be placed under seal for a period of fifteen (15) years from the end of each Congress during which they were created, except for those instances in which, upon application of individual researchers, the Donor shall give permission for inspection and study. After the Donor's death, the archivist shall be authorized to grant the permission. As used in this Agreement, the term "archivist" will mean the Director of Libraries of the University of Nevada Reno, or the archivist designated by said Director to be in charge of the Materials.

(6) At the end of the fifteen (15) year period prescribed in paragraph 5, and at one year intervals thereafter, the archivist will review the series affected and make recommendations to the Donor concerning their continued restriction. All materials except for sealed files will be opened within five (5) years of the Donor's death.

(7) Materials to be placed under indefinite seal will be those that relate to the Donor's personal, family, and confidential business affairs; to investigations of individuals or organizations; and to sensitive personnel matters. Also to be sealed will be Materials containing information that might be used to embarrass, damage, or otherwise injure any living person; and Materials which are security-classified pursuant to law or executive order, or which contain information the public release of which would adversely affect the security of the United States of America.

(8) Materials under restriction shall not be available for inspection or use by anyone except regular employees of the University Library in the performance of normal archival work on such Material, and the Donor or persons authorized by him in writing to have access to the same.

(9) The archivist shall be authorized to dispose of any of the materials which he or she determines to have no permanent value or historical interest, or to be surplus to the needs of the University Library; provided, however, the Donor be given reasonable notice of the intent to dispose of any of the Materials, and he shall have the right to direct that such of the Materials be returned to him.

(10) Subsequent to the initial deposit of the Materials with the University of Nevada Reno, additional materials may be deposited so as to become a part of the Materials; and, with each such additional deposit, there shall be executed and attached to the Agreement a Supplement to Exhibit A, which shall list or describe the items covered by such additional deposit.

In witness whereof, the parties have caused their hands and seals to be hereunto affixed, the day and year first above written.

____________________ University of Nevada, Reno	____________________ Senator ________, Donor

Deposit Agreement Regarding Administration of the Papers and Other Historical Materials of Senator ________________ Deposited in the ________________ Presidential Library

(1) In accordance with the provisions of Chapter 21 of Title 44, United States Code, and subject to the terms, conditions, and restrictions hereinafter set forth, I, ________________ (hereinafter referred to as the Undersigned), hereby deposit in the Presidential Library, my papers, including correspondence, and other historical materials (hereinafter referred to as the Materials which are described in Appendix A attached hereto).

(2) Title to the Materials shall remain in the possession of the Undersigned with the clear intent that said title will be conveyed to the United States at the undersigned's future convenience. In the event of the death of the Undersigned while this agreement is in effect, ________________ shall implement said agreement until such time as the Materials are formally donated to the ________________ Presidential Library.

(3) The Materials shall be maintained by the United States of America in the ________________ Presidential Library administered by the National Archives and Records Administration and, provided, that at any time after delivery and subject to the provisions of Paragraph 5, the Undersigned shall be permitted freely to examine any of the Materials during the regular working hours of the depository where they are preserved.

(4) It is the Undersigned's wish that the Materials be made available for research as soon as possible, and to the fullest extent possible, following their deposit in the ________________ Presidential Library. At the same time, it is his wish to guard against the possibility of their contents being used to embarrass, damage, injure, or harass living persons, and to safeguard the interests of the United States of America. Accordingly, the Director of the ________________ Presidential Library (hereinafter referred to as the Director) shall have the Materials reviewed and shall place under seal the following classes of material:

☐ Material relating to the personal, family, and confidential business affairs of ________________ or of persons who have had correspondence with him on such matters.

☐ Material relating to investigations of individuals and organizations, to proposed appointments to office, or to other sensitive personnel matters.

☐ Material containing statements made by or to ________________ in confidence, unless in the judgment of the Director the reason for the confidentiality no longer exists.

☐ All other material which contains information or statements that might be used to embarrass, damage, injure, or harass any living person.

☐ Material containing statements or information the divulgence of which might prejudice the conduct of foreign relations of the United States of America.

☐ Materials which are security-classified pursuant to law or Executive Order, or which contain information the public release of which would adversely affect the security of the United States of America.

(5) Following the completion of the review provided for above, Material placed under seal shall not be made available for inspection, reading, or use by anyone, except regular employees of the National Archives and Records Administration in the performance of normal archival work on such Materials, and the Undersigned, or persons authorized by him in writing to have access to such materials; provided that information which is security-classified pursuant to law or Executive Order shall be made available only in accordance with procedures established by law or Executive Order governing the availability of such information.

(6) Materials which have been placed under seal as herein provided shall be reviewed by the Director from time to time and the seal removed from any papers which, because of the passage of time or other circumstances, no longer require such restrictions.

(7) Subject to the restriction imposed herein, the Director may dispose of any of the Materials which he determines to have no permanent value or historical interest, or to be surplus to the needs of the ________________ Presidential Library, provided that prior to any such disposal the Undersigned shall be notified thereof, and, at the Undersigned's request, the Materials proposed for disposal shall be returned to the Undersigned.

(8) The Undersigned retains to himself all literary property rights which he has in (a) such of the Materials as are unpublished and (b) in such of the unpublished writings of ________________ as may be among any collections of papers received by the United States of America from others and deposited in any repository administered by any agency of the United States of America. Upon his death, said properties shall pass to the United States.

(9) The Undersigned exonerates the United States of liability for loss or other damage to the deposited Material due to deterioration, fire, or other catastrophe.

(10) In the event that the Undersigned may from time to time hereafter deposit in the ________________ Presidential Library additional papers and other historical Materials, all of the fore-going provisions of this Agreement shall be applicable to such additional papers and other historical Materials.

A description of the additional papers and other historical Materials so delivered shall be prepared and attached hereto.

Accepted:

________________ ________________
Archivist of the United States

________________ ________________
Date Date

THE INTERNAL REVENUE CODE AND DISPOSITION OF SENATORS' PAPERS

In recent years the provisions of the Internal Revenue Code (IRC) dealing with charitable contributions of personal papers by their creators have been greatly modified. No longer can creators of documents derive significant financial benefits by donating them to charitable institutions. Under the present Code, creators of personal papers who wish to profit from their labors must choose between disposing of their papers by will or selling them on the manuscripts market. There are, however, other options available. These are reviewed generally in the following sections.

These sections only discuss the effect of the federal tax laws. In addition, state income and estate tax laws may provide further important considerations in senators' planning regarding the disposition of their papers. Because these factors vary from state to state, members should secure the assistance of a knowledgeable tax advisor in the state in which they reside.

Charitable Contribution

Traditionally, senators were able to receive favorable tax treatment by donating their papers to charitable institutions. But since 1969 the tax code has greatly restricted the amounts which senators and other creators of manuscripts can deduct as charitable contributions (IRC Section 1221). A senator may now only deduct his or her "basis" in any personal papers which he or she contributes. In this context, "basis" would be the personal cost to the creator of acquiring the contributed materials (IRC Section 170 (e)). Since papers in senators' collections in most cases have been produced at government expense, the senators' "basis" would be zero. Any contributed papers produced at the senator's expense would involve a "basis" calculated on the cost of the paper and writing supplies. Obviously, this will rarely constitute a significant amount for tax benefit considerations. Senators who choose to donate their papers to charitable institutions under the IRC's present provisions likely are motivated by considerations other than significant tax savings.

Commercial Sale

A second option open to senators is to sell their papers commercially. From the standpoint of tax considerations, this alternative is greatly diminished because income generated by such sales is fully taxed. In addition, the general market for such manuscripts is limited because many public repositories do not have sufficient funds to purchase large collections of papers, and private collectors are likely to be interested in only a few particularly noteworthy items. More importantly, perhaps, is the consideration that commercial sale would probably result in the dispersal of papers among several purchasers. This would severely limit their research and educational value, rendering future scholarship difficult, if not impossible.

Gift To A Relative Or Friend

A third alternative is for a senator to make a non-charitable gift of his or her papers to a relative or friend. However, under tax law, the recipient of such a gift "steps into the shoes" of the creator. A recipient who subsequently made a charitable donation of manuscripts could deduct only their creator's "basis," and proceeds from a commercial sale by the recipient would be fully taxed. Moreover, annual gifts of property worth more than $10,0000 are subject to a gift tax on the giver. Under current law, previous gifts are taken into account at the time of assessment of estate tax and, therefore, normally provide no tax benefits at the time of death. Thus, a non-charitable gift of papers may not be an attractive alternative from a tax standpoint.

Charitable Bequest

A fourth option is for a senator to make a charitable contribution of his papers to a qualifying institution through his or her will. The tax consequences of such a bequest are similar to those which result from a charitable contribution during a senator's life. The bequest would have no income tax consequence to the deceased senator, and the value of the papers would not be included in the value of the taxable estate (IRC Section 2055).

Bequest To A Relative

Finally, a senator may bequeath the papers to his or her spouse or other non-charitable beneficiary. A bequest to a spouse is an attractive alternative which can result in significant tax savings. Because bequests to spouses are entirely exempt from federal estate taxes under current tax law (IRC Section 2056), personal papers bequeathed to a spouse would be exempt from federal estate taxes.

Papers that are bequeathed neither to a spouse nor to a charitable organization are subject to estate tax. Papers included in such a bequest are calculated at their fair market value in the estate valuation.**

**Fair market value, according to the Internal Revenue Service, is "the price which would result from a transaction between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having full knowledge of all relevant facts." For a discussion of matters relating to the tax deductibility of collections and the selection of an appraiser see: Kenneth W. Rendell, "Tax Appraisals of Manuscript Collections," *American Archivist*, vol. 46, no. 3 (Summer 1983). This article also contains information about services available from an appraiser, procedures for the determination of fair market value, factors affecting the value of a collection, and previous tax court rulings.

The beneficiary of a bequest of a member's papers has the choice of selling them or donating them to a charitable organization. Of course, within these rules the member cannot, before his death, control or restrict his beneficiary's decisions as to the final disposition of this property. If the member does restrict the eventual disposition, by will or otherwise, he or she has not effected a bequest of his entire interest in the property. Special rules govern the tax treatment of such bequests of partial interests in property.

For either choice, sale or contribution, the beneficiary is in a different situation from the creator of the papers. The new owner enjoys a "stepped-up basis" in the materials, equal to their fair market value at the time of the member's death (IRC Section 1014). Further, the papers are "capital assets" in the hands of their new owners although they were not in the hands of their creator (IRC Sections 1014 and 1221).

If the new owner sells the papers, he or she receives favorable capital gain treatment on any profits. If the papers are sold by the new owner shortly after the member's death, the proceeds will be subject to little or no tax, because there will be little recent appreciation between the sale price and the fair market value at the time of the senator's death.

Persons who receive papers as bequests through senators' wills may also derive significant tax savings by contributing them to charitable institutions. Although the papers' creators could deduct only minimal amounts by contributing them, their new owners may deduct the full fair market value. This rule gives the beneficiary the advantage of obtaining a potentially large deduction from income taxes, without his/her or the member's ever having been required to take the papers' previous appreciation into account as income.

There is, however, one significant caveat to this approach. A set of statutory ceilings limits the amounts of deductions which taxpayers may take for charitable contributions in one year (IRC Section 170 (b)). While these ceilings are not significant in the context of a donation of papers by a member (because of the low valuation of the "basis" of the property), they may be important to a donor who inherited the papers and who receives a full fair market value charitable contribution deduction. Deductions exceeding the allowable ceiling may often be used in subsequent years.

Conclusion

Most members will choose among the alternatives of charitable contribution during life, charitable bequest at their death, or bequest to a spouse or other relative for eventual charitable contribution. This discussion concentrates on rules of broad applicability. However, the tax law is exceedingly complex and includes numerous exceptions, qualifications, and special rules. Factors such as the income of a member, the size of his or her expected estate, the type of charitable institution to which the contribution is made, and the intended beneficiary of the estate all interact in complicated fashion to vary the analysis as described. In addition, changes in tax law occur with enough frequency to require continued attention. In order to choose sensibly among the more complicated alternatives, including charitable and non-charitable bequests, and to secure maximum tax benefit, a member should consult a reputable financial or tax planner for assistance in making these decisions.

APPENDIX A

RECORDS MANAGEMENT GLOSSARY

ACCESS. (1) The availability of or the permission to consult records, archives, or manuscripts. (2) (U.S. Government) The ability and opportunity to obtain security classified or administratively controlled information or records.

APPRAISAL. (1) The process of determining the value and thus the disposition of records based upon their current administrative, legal, and fiscal use; their evidential and informational or research value; their arrangement; and their relationship to other records. (2) The monetary evaluation of gifts of manuscripts.

ARCHIVAL VALUE. The determination in appraisal that records are worthy of indefinite or permanent preservation by an archival agency. Sometimes referred to as historical, continuing, or enduring value.

ARCHIVES. (1) The non-current records of an organization preserved because of their permanent value; also referred to, in this sense, as archival materials or holdings. See also PERMANENT RECORDS. (2) The agency responsible for preserving this material. (3) The building where such materials are located.

ARCHIVIST. A person responsible for or engaged in one or more of the following activities in an archival repository: appraisal and disposition, accessioning, preservation, arrangement, description, reference service, exhibition, and publication.

ARRANGEMENT. (1) The order in which documents are filed. (2) A logical plan for organizing records, such as numerically or alphabetically by name or subject.

CASE FILE. A file unit containing material relating to a specific transaction, event, person, project, or other subject. A legislative case file may cover one or many subjects that relate to a particular piece of legislation. A project case file may also cover many subjects pertaining to one main project.

CENTRAL FILE. The files of several staff members physically and/or functionally centralized and supervised in one location.

CHARGEOUT. The action of recording the removal or loan of a file to indicate its whereabouts, usually done on a specifically designed card, Optional Form 23.

CHRONOLOGICAL FILE. See READING FILE.

CLASSIFIED INFORMATION. (1) (U.S. Government) Official records or information requiring, in the interest of national security, protection against unauthorized disclosure. The degree of protection is specified by one of the following: Top Secret, Secret, Confidential, Restricted Data, Formerly Restricted Data, and (prior to 1953) Restricted. (2) In non-government organizations, sometimes used to designate information/records over which the organization desires to exercise a greater degree of security than normal.

CLOSED FILE. A file unit or series containing documents on which action has been completed and to which additional documents are not likely to be added.

CONTINUITY REFERENCE FORM. A form, such as Optional Form 22, used to replace a record that has been moved to another location in a file. In a legislative case file, it often indicates that records have been brought forward from a previous Congress for attachment to material in the current Congress' file.

CORRESPONDENCE FILES. See SUBJECT FILES.

CROSS-REFERENCE. A finding aid, such as Optional Form 21, that directs the user from one place in the file to another when a particular document may be requested by more than one name, number, or subject.

CURRENT RECORDS. Records necessary for conducting the current business of an office, can be maintained at the staff person's desk or in a central location. See CENTRAL FILE and DECENTRALIZED FILE.

CUT-OFF. See FILE BREAK.

DECENTRALIZED FILES. Files of an administrative unit that are maintained at several locations, but which can be centralized intellectually through administrative controls, such as a files plan.

DEED OF GIFT. A signed, written instrument containing a voluntary transfer of title to real or personal property without a monetary consideration. This frequently takes the form of a contract establishing conditions governing the transfer of title and specifying any restrictions on access or use.

DEPOSIT. Archives or manuscripts placed in the physical custody of a repository without transfer of title.

DISPOSITION. The actions taken with regard to non-current records following their appraisal. The actions include transfer to a holding area for temporary storage, donation to an archival or manuscript repository, reproduction on microfilm, or destruction.

DISPOSITION SCHEDULE. A document governing on a continuing basis, the retention and disposition of the recurring record series of an organization.

FILE. An accumulation of records maintained in a predetermined physical arrangement.

FILE BREAK. Termination of a file at regular periodic intervals to facilitate continuous disposal or transfer of the file series. Also called CUT-OFF.

FILES PLAN. A plan designating the physical location at which the senator's files are to be maintained, the specific types of files to be maintained there, and the staff person having custodial responsibilities.

FILING. The act of putting documents into their place in accordance with an established system.

HISTORICAL VALUE. See ARCHIVAL VALUE.

HOUSEKEEPING RECORDS. Records of an office that relate to budget, accounting, personnel, supply, and similar administrative or facilitative operations common to all senator's offices, as distinguished from program or substantive records that relate to the office's primary functions. See PROGRAM RECORDS.

MACHINE-READABLE RECORDS. Records whose informational content is usually in code and has been recorded on media such as magnetic discs, drums, tapes, punched paper cards, or punched paper tapes, accompanied by finding aids known as software documentation. The coded information is retrievable only by machine.

NON-CURRENT RECORDS. Records that are no longer required to conduct current business and therefore can be transferred to separate storage, either to attic storage, the Washington National Records Center, or to a repository, or may be sampled, microfilmed, or destroyed according to instructions in your office files plan.

NON-RECORD MATERIAL. Material excluded from the definition of records, such as unofficial copies of documents that are kept only for convenience or reference, stocks of publications and processed documents, and library material intended solely for reference. (Congressional Reference Service confidential reports are excluded from this category. They are permanent records.)

PAPERS. (1) A natural accumulation of personal and family materials, as distinct from records. (2) A general term used to designate more than one type of manuscript material.

PERMANENT RECORDS. Records appraised as having enduring value because they document the senator's career and the organization and functions of the office that created or received them and/or because they contain significant information on persons, things, problems, and conditions with which the office dealt.

PERSONAL PAPERS. The private documents accumulated by an individual, belonging to him or her and subject to his or her disposition. The records accumulated by staff in a senator's office while performing the duties of the office are the personal papers of the senator.

READING FILE. A file containing copies of documents arranged in chronological order.

RECORD COPY. The official or record document that is so recognized, complete with enclosures or related papers, as distinguished from extra convenience or reference copies.

RECORDS. All recorded information, regardless of media or characteristics, made or received and maintained by an organization or institution in pursuance of its legal obligations or in the transaction of its business.

RECORD CENTER. A facility designed and constructed for the low-cost and efficient storage and furnishing of reference service on semi-current records pending their ultimate disposition. Senators, while in office, are offered courtesy storage for their records at the Washington National Records Center.

RECORD CENTER CONTAINER/CARTON. A corrugated cardboard box designed to hold one cubic foot of records, either legal or letter size, and used chiefly in records centers.

RECORDS MANAGEMENT. That area of general administrative management concerned with achieving economy and efficiency in the creation, use and maintenance, and disposition of records.

RECORDS MANAGER. The person responsible for or engaged in a records management program.

SERIES. File units or documents arranged in accordance with a filing system or function, result from the same activity, or have a particular form. Your files plan lists files by series.

SEMI-CURRENT RECORDS. Records required so infrequently in the conduct of current business that they should be moved to a holding area or directly to a records center or repository.

SORTING. The process of separating papers into groups for filing according to the classification system outlined in this plan.

SUBJECT FILES. Records arranged and filed according to their general information content. Also known as correspondence files. Consist mainly of general correspondence but may include forms, reports, and other material that relate to office functions and not to specific legislation or committee-related projects. The purpose of a subject file is to bring together all papers on the same topic to facilitate information retrieval.

TECHNICAL REFERENCE MATERIAL. Copies of reports, studies, compilations of data, periodicals, journals, etc., that are needed for reference and information but are not made a part of the official files. Such non-record material is to be kept only as long as needed and may be replaced periodically with more current material.

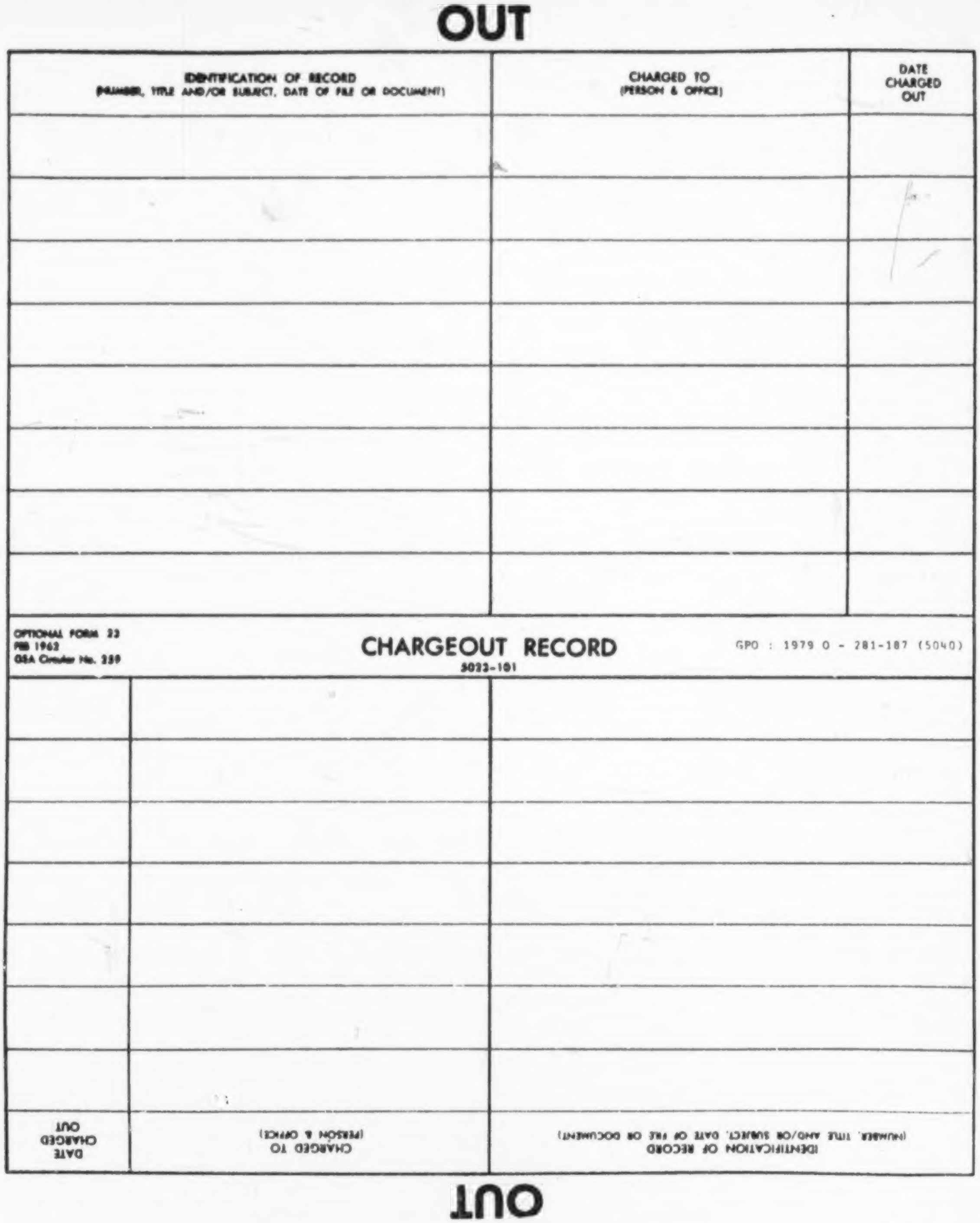
TRANSITORY RECORDS. A general term for those types of records that lose their value within a short period of time and that should be separated during filing from records requiring longer retention.

CROSS-REFERENCE *(Name, number, or subject under which this form is filed)*	➡	
		▨
		▨
IDENTIFICATION OF RECORD	DATE	
	TO	
	FROM	
	BRIEF SUMMARY OF CONTENTS	
FILED *(Name, number, or subject under which the document itself is filed)*		

Optional Form 21
Feb. 1962
GSA Circular 260

CROSS-REFERENCE

DESCRIPTION OF CORRESPONDENCE OR DOCUMENT BEING BROUGHT FORWARD	
SUBJECT *(Under which this form is filed)*	
DATE *(Under which this form is filed)*	
TO	
FROM	
BRIEF SUMMARY OF CONTENTS	
BROUGHT FORWARD and filed with the documents described below	
SUBJECT	
DATE	
TO	
FROM	
Optional Form 22 **Feb. 1962** **GSA Circular No. 250**	**CONTINUITY REFERENCE**



OUT

IDENTIFICATION OF RECORD (NUMBER, TITLE AND/OR SUBJECT, DATE OF FILE OR DOCUMENT)	CHARGED TO (PERSON & OFFICE)	DATE CHARGED OUT

OPTIONAL FORM 23
FEB 1962
GSA Circular No. 259

CHARGEOUT RECORD
5023-101

GPO : 1979 O - 281-187 (5040)

DATE CHARGED OUT	CHARGED TO (PERSON & OFFICE)	IDENTIFICATION OF RECORD (NUMBER, TITLE AND/OR SUBJECT, DATE OF FILE OR DOCUMENT)

OUT

Figure 36.—Optional Form 23, Chargeout Record

APPENDIX C RULES FOR ALPHABETIC FILING

Rules	*Examples*
1. PERSONAL NAMES.	
a. NAMES of individuals are transposed for filing purposes: Last name (surname); first name (given name) or initial; middle name or initial.	Arthur B. Anglin—filed *Anglin* Arthur B.
b. PREFIXES on surnames (Bel, Bon, D', d', de, del, Des, di, du, El, Ger, L', La, Le, M', Mac, Mc, O', St (Saint), Ten, Ter, Van, Vander, Von, Vonder, and others) are considered inseparable parts of the surname and will be filed as though written as one. M', Mac, and Mc are filed in strict alphabetic sequence.	David de Valera—filed *de Valera* David.
c. HYPHENATED surnames of individuals are filed as one complete surname.	Blanche Duff-Gordon—filed *Duff-Gordon* Blanche.
d. UNDETERMINED surnames. When it is not possible to determine the surnames of individuals, they will be filed as they are written.	*Block* Thunder. *Henry* George.
e. MARRIED WOMEN'S names. The legal name will be used and the husband's name, if known, will be cross-referenced. (The legal name consists of the first name, maiden surname, and the husband's surname (Josephine *Adams* Laurens) or her first name, middle name and the husband's surname (Josephine Mary Laurens).	*Laurens* Josephine Mary (Mrs) (Mrs. William A).
Cross-reference:	*Laurens* William A (Mrs)—filed Laurens Josephine Mary.
f. ABBREVIATED first names are filed as though they were spelled in full.	Chas. Brown—filed *Brown* Charles.
g. NICKNAMES followed by recognizable surnames are filed under the surname and the nickname used as the first name. Nicknames with no recognizable surnames are filed as they are written.	Red Larson—filed *Larson* Red. *Boston* Jimmie.
h. TITLES or degrees of individuals, whether preceding or following the surnames, are placed in parentheses following the name and disregarded in filing (Courtesy titles, Mr., Madam; military titles, Col., Major; professional title, Dr., Prof.; official titles, governor, mayor, titles of respect, Rev., Hon.; foreign titles, Lord; degrees, LL.D., Ph.D). Titles followed by one or more names not recognizable as surnames are filed in order as written.	Dr. Charles C. Brown—filed *Brown* Charles C (Dr.). Father Pierre—filed *Father* Pierre.
i. ABBREVIATED DESIGNATIONS, such as Sr., Jr., 2d, 3d, appearing as part of a name are disregarded in filing but are shown in parentheses following the name.	C. Albert Brown, Jr.—filed *Brown* C Albert (Jr.).
2. FIRMS, corporations, companies, associations, institutions, governments, and geographic names.	
a. COINED names of firms, including trade names composed of separate letters or a single word, are filed as written, except when they embody the full names of individuals.	A A A Chemical Co.—filed *A A A* Chemical Company. Aunt Jemima's Pancake Flour—filed *Aunt* Jemima's Pancake Flour.
b. SURNAMES are used for filing when the full name of an individual is embodied in a firm or organization name; surname first, with the first name or initial immediately following and the balance of the name as written. Rules for personal names apply.	Charles Brown & Company—filed *Brown* Charles (&) Company.
c. PREFIXES on firm and geographic names, such as Co-, D', d', de, des, Di, El, L', la, le, los, Mac, Mc, O', San, Ten, Ter, Van, Von, are considered inseparable parts of the name and will be filed as though written as one word.	De la Verne Co.—filed *De la Verne* Company. Los Angeles, Calif.—filed *Los Angeles,* California.
d. HYPHENATED firm names are filed as one complete name.	Air-E-Ator Ventilating Co.—filed *Air-E-Ator* Ventilating Company.
e. COMPOUND names of firms that may be spelled either as one or two words are filed as one word. This rule must be restricted to a few frequently occurring words, such as Inter State; Mid West; South Eastern: South Side; North East.	Inter State Warehousing Co.—filed *Inter State* Warehousing Company.
f. COMPOUND GEOGRAPHIC firm names are filed as written. Abbreviations are filed as though spelled in full.	Ft. Wayne Paper Co.—filed *Fort Wayne* Paper Company. N.J. Coal & Coke Co.—filed *New Jersey* Coal (&) Coke Company.
g. ABBREVIATIONS representing names or parts of names of firms, of Government agencies, fraternal and similar organizations are filed as though spelled in full.	Amer. Society for Civic Education—filed *American* Society (for) Civic Education. E. 59th St. Garage—filed *East* Fifty Ninth Street Garage.
h. APOSTROPHE S ('s) is not considered in filing, but s apostrophe (s') is considered in filing.	Anglin's Beauty Shop—filed *Anglin's* Beauty Shop. Anglins' Automobile Co.—filed *Anglins'* Automobile Company.
i. ARTICLE, CONJUNCTION, OR PREPOSITION, such as the, and, &, of, for, on, by, when it is part of a firm name is enclosed in parentheses and disregarded in filing. When "Ye" is used, it is filed as written. Foreign language articles are not translated and are filed as written	The Calico Cat—filed *Calico* Cat (The). Il Progresso Italo—filed *Il Progresso* Italo.
j. STATE, COUNTY, CITY, TOWN, or a similar word when appearing as the first word in the name of a firm, institution, association, etc., and not referring to a government establishment, is filed as written.	City Letter Co.—filed *City Letter Company*. County of Wall Surveying Co.—filed *County* (of) Wall Surveying Company.

Rules	*Examples*
k. NUMERALS of one or two digits that make up a name or the beginning of a name are read in hundreds. Considered only the lowest number in captions beginning with inclusive numbers. Captions beginning with numbers spelled in full or abbreviated are filed as though spelled in full. Numbers of two or more words are filed as one word.	86 Madison Ave. Realty Co.—filed *Eighty-six* Madison Avenue Realty Company. 1198 Park Ave. Corp.—filed *Eleven Hundred Ninety-eight* Park Avenue Corporation. 92-96 W. 18th St. Corp.—filed *Ninety-two* (96) West Eighteen Street Corporation.
l. FIRM names beginning with such phrases as Board of, Bureau of, Commission for, which do not refer to any government establishment or function, are filed as written.	Committee for Economic Development—filed *Committee* (for) Economic Development.
m. STANDARD TERMS, such as Bros., Co., Corp., Ltd., Inc., names of states and cities, often abbreviated, affect the filing sequence. When abbreviated they are filed as though spelled in full. In foreign firm names abbreviations of company, brothers, etc., whether they appear before or after the names are filed as written. They are not translated.	Brown Bros.—filed *Brown* Brothers Cie Generale Transatlantique—filed Cie Generale Transatlantique.
n. CHANGE of firm name due to successorship should be filed under the current firm name and a permanent cross-reference made under the former name.	Clairo Company formerly Van Ess Products Co.—filed *Clairo* Company (Formerly Van Ess Products Co.).
Cross-reference:	*Van Ess* Products Company—filed Clairo Company.
o. MULTIPLE names. Firms doing business under two titles are filed under the more active or important name and a permanent cross-reference is made under the other name. This includes firms "doing business as," written "d/b" or "d/b/a."	Max Jensen doing business as Ace Van Lines—filed *Ace* Van Lines.
p. PARTNERSHIP AND FIRM names that contain the full names of two or more individuals are filed by the name of the first individual mentioned.	Charles Brown & Henry Jones—filed *Brown* Charles (& Henry Jones).
q. VARIOUS LOCATIONS. The same firm name appearing at various locations is filed by name of firm and then by city. Consider the State when there is a duplication of city names.	Allied Van Lines, Denver. Colo.—filed *Allied* Van Lines *Denver* Colorado. Allied Van Lines, Portland, Me.—filed *Allied* Van Lines *Portland* Maine.
r. SUBSIDIARIES OR DIVISIONS. Firms having subsidiaries or divisions, may be filed either by name of the parent organizations or by name of divisions. Whichever is adopted should be followed consistently. Affiliations should be cross-referenced under either method.	Truscon Steel Co. Division of Republic Steel Corp.—filed *Republic* Steel Corporation Truscon Steel Co. Division.
s. BANKS, BOARDS OF TRADE, NEWSPAPERS, etc. Since the names of many banks, boards of trade, chambers of commerce and newspapers are alike, the city is the identifying word. They are therefore filed by location: city first, the state in parentheses, followed by the name of the bank, board of trade, etc.	Board of Trade Chicago, Ill.—*Chicago* (Ill.) Board of Trade.
t. FEDERAL DEPARTMENT NAMES. Federal Government departments and subdivisions thereof are filed by name in the alphabetic name file disregarding the parent organization.	
U.S. Coast Guard	Filed *Coast Guard* (U.S.)
Office of Management and Budget:	Filed *Management and Budget* Office (of).
Great Lakes Naval Training Station:	Filed *Great* Lakes Naval Training Station.
Executive Office of the President	Filed *President* Executive Office (of The).
3. FRATERNAL or similar organization name, which is part of a larger organized group, is filed under its name, and the name of the parent organization may be cross-referenced.	Veterans of Foreign Wars, Portsmouth Post, N.H.--filed *Portsmouth* (N.H.) Post, Veterans (of) Foreign Wars.
4. INSTITUTION names, hospitals, schools, colleges, churches, hotels, cafes, libraries, etc., are filed under the first distinctive word or name in the title. If the title is composed of the name of an individual, rules for personal names apply.	Andrew Carnegie Library—filed *Carnegie* Andrew Library, University of Washington—filed *Washington* University (of).
5. SUBDIVISIONS of state, county, municipal or foreign governments, such as departments, boards, bureaus, commissions, etc., are entered after the name of the state, city, county, or country, and filed as the second or third unit.	Water Dept. Fairfax County, Va.—filed *Fairfax* County (Va.) Water (Dept.).

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United States Senate
COMMITTEE ON
RULES AND ADMINISTRATION
WASHINGTON, D.C. 20510

October 21, 1982

Dear Senator:

Computer tapes containing index and other reference codes to your correspondence files may be made available to a non-Senate facility which you have designated as the archival repository for those correspondence files.

A letter to the Sergeant at Arms requesting delivery of the index tapes should be accompanied by a statement from the archival repository stipulating that such tapes would be used only for research purposes and that copies of the tapes would not be provided to other parties.

Sincerely,

Charles McC. Mathias, Jr.
Chairman

APPENDIX E

GLOSSARY FOR AUTOMATED RECORDS

Applications Software. Software usually provided by the vendor which allows the user to perform certain data processing or word processing tasks without having to write such software. Systems which use such software are generally multi-purpose, and may not provide a user programming capability.

Archive. A procedure for transferring information from an on-line storage diskette or memory area to an off-line storage medium. This is distinct from "archives," meaning permanent records. Information transferred to off-line storage must be appraised for historical value. If appraised as permanent, it must be transferred to an *archival storage medium.*

Archival Storage Medium. Material that data are written and stored on that can be preserved for long-term use when given proper preservation treatment. For records created and stored on magnetic media, the medium is paper, microfilm, or nine-track magnetic tape.

Back Up. A method of protecting valuable information. A back up may take the form of 1) duplicating tapes or diskettes on which information is stored; 2) providing a system with an alternative power source to protect information in volatile memory in the event of a power failure; and 3) providing a redundant system.

Capacity. A term describing the number of bits encoded on a magnetic disk or diskette for the storage of information, usually expressed in number of characters. Capacity is governed by the number of serial bits per inch recorded and the number of tracks on the media.

COM. Computer Output Microfilm—microfilmed versions of text containing the same types of information found in paper printouts.

Communications Network. The connection of separate communicating devices through transmission lines.

Compatibility. A characteristic of word or data processing equipment which permits one machine to accept and process information prepared by another machine without conversion or code modification.

Configuration. The components which make up a word processing system. Most systems include a keyboard, a monitor, magnetic storage (disks or diskettes), and a printer. Some configurations may also include a minicomputer for processing information.

Central Processing Unit. The heart of a computer that controls the interpretation and execution of instructions.

Data Base. A collection of data items processed by one or more applications. The discrete units of information that the computer manipulates.

Documentation. Records required to convert human readable information into encoded data that the computer can read, and to decode machine readable information into human readable form. Documentation is an organized set of documents needed to plan, develop, operate, maintain and use machine readable records and to explain the arrangement, content, and coding of the information in a machine readable file.

Electronic Mail. The generation and transmission of textual information by electronic means.

File. In records processing, a collection of data items treated as a unit. In word processing, a segment of text that can be retrieved from storage is usually one document long.

File Organization. The manner in which files are arranged or formatted on a storage medium.

Format. From the merger of two words—FORM of MATerial—designating the predetermined arrangement and coding of information in a machine readable record or in the computer's output.

Hardware. The mechanical or electronic equipment used with a series of software programs.

Index. A list of documents contained on a unit of storage.

Information Processing. A term that encompasses both word processing and data processing which is used to describe the entire scope of operations performed by a computer.

Input. The information to be processed by a computer.

Magnetic Media. A variety of magnetically coated materials used by word processing systems for text and program storage. Main types of magentic media include 1) magnetic cards; 2) cartridges; 3) floppy diskettes; 4) hard disks (removable); and 5) Winchester disks (nonremovable).

OCR. Optical Character Reader—a machine that can read documents.

Output. Any product of information processing. Output can be directed by a computer to appear on a terminal, a printer, or computer output microfilm.

Record. A collection of related data elements treated as a unit.

Record Processing. Refers to the manipulation of files of information, such as selecting from certain fields and resequencing these fields into different categories.

Software. A term coined to contrast the computer programs with the "iron" of the hardware. Software is a stored set of instructions which operates the physical equipment and manipulates the data. See also: Applications Software.

Software Dependent. Any machine readable file that requires particular software in order to access, retrieve and process information in the file.

Time Sharing. The sharing of power and costs of a large computer among a number of users, each equipped with terminals.

Word Processing System. Refers to the specific hardware, software, and peripheral devices used to perform word processing tasks.

TYPE OF DOC—ADMINISTRATIVE

Topic	*Subtopic*
Admin Memos	DC staff and field staff.
Appointments To—See Senator	
Daily Schedules	
Employment	DC staff; field office; interns-closed; interns-open; interns-senior citizens; and pages.
Office Finances	Staff payroll.
Office Supplies	CMS equipment; equipment inventory; and field office equipment.
Personal File	
Press	Appearances; newsletter; newspaper; radio; speeches; and television.
Public Activities	Awards and honors; Christmas thanks; condolences; congrats from Senator; congrats to Senator; gifts from Senator; gifts to Senator; recommend from Senator; recommendation to Senator; thanks from Senator; thanks to Senator; and general.
Travel Vouchers	Senator and staff.

TYPE OF DOC—CASE

Topic	*Subtopic*
Academy	Acceptance-congrat; application sent; incomplete folder; initial forms; preadmission forms; sorry-not selected; sponsor; and sponsor-congrat.
Agency Buck	General; multi-agency; reply to const directly; and State agency.
Agency Interim	More info enclosed and send update report.
Agency Referral	Out-of-jurisdiction and State matter.
Const Final	Appeal recommended; favorable response; neutral response; requested info sent; and unfavorable response.
Const Initial	Acknowledge receipt; contacted agency; employment-Federal; forwarding materials; general; more info needed; Privacy Act; requested full report; second party; and State matter.
Const Interim	Awaiting agency reply; contacted agency again; received Privacy Act; and thanks for patience.

TYPE OF DOC—INVITATIONS

Topic	*Subtopic*
Appearances	Fairs and openings.
Debate	
General	Accept and not accept.

TYPE OF DOC—INVITATIONS—Continued

Topic	*Subtopic*
Pending	
Speech	Associations and businesses; college graduation; date; high school graduation; and issue interest.
State Functions	
Town Meeting	

TYPE OF DOC—ISSUE

Topic	*Subtopic*
Aging	Action Elderly Program; Age Discrimination Act; Aging Comm; Community Services Admin; Federal assistance; mandatory retirement; nursing home standards; nutrition programs; Older American Act; pensions; property tax relief; retirement; transportation; and general.
Agriculture	AAM; Agriculture Comm; commodities; conservation; dairy; Dept. of Agriculture; Farmer's Home Admin; farm labor; Federal Crop Insurance; grain and graineries; imports; livestock and meat; nutrition; price supports; research rural electrification; subsidies; trade and exports; world grain reserve; and general.
Arts and Humanities	NAT endowment for arts and general.
Banking & Currency	Banking comm.; bank practices; bankruptcy; coinage and minting; Consumer Cooperative Bank; credit; credit card legislation; credit union; Export-Import Bank; Federal Reserve Board; Fed. Home Loan Bank; financial institutions; interest rates; international finance; loans; municipal bonds; regulations; Renegotiation Board; Sec. Exchange Comm.; and general.
Civil Rights	Abortion; affirmative action; busing; discrimination; equal rights amend.; freedom of information; freedom of religion; freedom of speech and press; homosexual rights; handicapped; Judiciary Comm.; Legal Services Corp.; reverse discrimination; women; and general.
Civil Service	Comparability pay; cost-of-living increase; Federal employees; Gov't. Affairs Comm.; Hatch Act; hiring; parking fee proposals; reform; salaries; vet. pref. in hiring; and general.
Commerce	Advertising; Census; Commerce Comm.; competition; Federal Trade Commission; insurance; metric system; steel industry; textiles; and general.
Communications	BBC; cable TV; deregulation; FCC; phone; public broadcasting; radio; regulations; religious broadcasting; telegraph; television; television and children; television and content; and general.
Congress	Bureaucracy; committees and rules; ethics; House of Representatives; junkets; lobby disclosure; national days; pay raise; privileges of office; and general.

TYPE OF DOC—ISSUE—Continued

Topic	*Subtopic*
Consumer Affairs	Agy for consumer advocacy; consumer complaints; Consumer Protection Agency; deceptive advertising; no-fault insurance; product liability; unsolicited mailings; and general.
Crime & Justice	ACLU; anti-trust; arson-for-profit; capital punishment; child abuse; corrections facilities; criminal code reform; domestic violence; drug enforcement; FBI; gun control; illegal aliens; juvenile delinquency; LEAA; organized crime; plane hijackings; polygraphs; pornography; terrorism; and general.
Defense	Air Force; appropriations; Armed Services Comm.; Arms Control Export Act; Army; B-1 bomber; civil defense; commissaries; contracts; Corps of Engineers; Dept. of Defense; draft; Marines; military pay and benefits; MX missile; NATO; Navy; nuclear weapons; SALT; Stealth; survivor's benefits; unionization; voluntary military; and general.
Economy	Auto industry; balanced budget; charitable contributions; deficit; free enterprise; gold; Government spending; inflation; interest rates; IRA accounts; productivity; rent controls; wage and price controls; wholesale price index; and general.
Education	Appropriations; bilingual; Dept. of Education; elementary ed.; extension programs; Federal aid; Head Start; higher ed; impact aid; phys. and ment. handicapped; rehab. of handicapped; secondary ed; school lunch; school prayer; special ed; student loans; title IX; Tuition Relief Act; vocational ed.; and general.
Elections	Campaigns; electoral college; Presidential; public campaign financing; reform; voter registration; and general.
Energy	Alaskan oil and gas; alternative energy; appropriate technology; breeder reactors; building standards; coal; coal slurry pipelines; divestiture; Dept. of Energy; efficiency; Energy Comm.; energy conservation; Energy Mobilization Board; Federal mineral resources; Federal regulations; mining; natural gas; nuclear energy; ocean oil spills; oil; oil company profits; oil and gas user's tax; OPEC; Outer Continental Shelf; petroleum marketing; policy and prices; public utilities; refining; solar power; surface mining; synthetic fuels; windfall profits tax; wood; and general.
Environment	Air pollution; auto emission standards; chemicals; EPA; forest and lumber; natural resources; non-returnable containers; off-road vehicles; oil spills; pesticides; pollution-general; recycling; solid waste; strip mining reclamation; water; and general.
Food and Drug	Additives; alcohol abuse; carcinogens; cigarettes; drug abuse; FDA; saccharin; unapproved drugs; and general.
Foreign Affairs	Afghanistan; American Security Council; China, CIA; Cuban refugees; Dept. of State; detente; Egypt; Europe; Foreign Affairs Comm.; foreign aid; genocide; Iran; Korea; Latin America; law of the sea; Middle East; Panama Canal; Peace Corps; Puerto Rico; Rhodesia; Taiwan; Turkey; United Nations; Vietnam; world hunger; and general.
Foreign Trade	Balance of trade; Communist countries; embargo; Eximbank loans; foreign investment in U.S.; tariffs; trade negotiations; and general.
Health	Allied health sciences; cancer; Dept. of HHS; diseases; handicapped; health practices; hospital cost containment; malpractice insurance; medicaid; medicare; national health insurance; nursing homes; research; right-to-die; and general.
Housing	Development and construction; Federal aid; flood insurance; home ownership; HUD; public housing; rent control; revitalization; rural housing; and general.
Human Resources	Arts and culture; day care and child services; Dept. of Human Resources; legal services; and general.
Interior	Alaskan wilderness; Dept. of Interior; Indians; land use; national parks; natural resources; State parks; wilderness preservation; and general.
Judiciary	Abortion con; abortion pro; antitrust; capital punishment; DC voting rights; Federal judges; intelligence gathering; Judiciary Comm.; Supreme Court; and general.
Labor	CETA; compensations; Davis-Bacon Act; Dept. of Labor; Displaced Homemakers Act; employment; labor management relations; Labor Reform Act; labor violence; mandatory retirement; minimum wage; OSHA; right to work con; right to work pro; strikes; unemployment; unions; workmen's comp.; and general.
Postal Service	Arbitration Board; branch closings; commemorative stamps; complaints; employees; mail solicitations; rates; Saturday delivery con; Saturday delivery pro; and general.
Social Security	COLA; earnings ceiling; reform; and general.
Small Business	Disaster assistance; product liability; regs. and paperwork; SB Comm.; SBA; SBA loans; and general.
Taxes	Capital gains; carryover basis rules; charitable contributions; corporate; credit for elderly; elderly tax counseling; estate and gift; indexing; individual; investment incentives; IRS; marriage penalty; national sales tax; private schools; property taxes; reform; revenue sharing; savings incentive; tax cuts; tax exempt revenue bond; tax simplification; tuition tax credits; and general.
Transportation	Aerospace industry; airline deregulation; air travel; Amtrak; buses; Dept. of Transportation; FAA; highway speed limitations; Highway Trust Fund; maritime; mass transportation; railroad; trucking; and general.
Veterans	Benefits; facilities, hospitals; medical and disability; pensions; survivors benefits; Veterans Admin.; Veterans Affairs Comm.; and general.
Welfare	Aid families depend. child.; aliens and soc. sec.; food stamps; fraud; social assistance; and general.

TYPE OF DOC—ISSUE—Continued

Topic	*Subtopic*
Wildlife	Animal abuse; endangered species; fish and wildlife; fisheries; predator control; seals; trapping; whales; and general.

TYPE OF DOC—PROJECT

Topic	*Subtopic*
Agriculture	FHA; rural development; rural water supply; soil conservation; and watershed protection.
Commerce	Bureau of Census and minority business.
Defense	Army Corps of Engineers; Defense Supply Agency; and military base closings.
EPA	Sewage treat construct; toxic sub. and hazard mat; and water pollution.
Energy	Dams and nuclear react generators.
Grant Applications	Acknowledgement; endorsement; no funds available; review; and sources.
Housing & Urban Devel	Comm. devel block grants; disaster assistance; flood insurance; fair housing; new communities; and urban devel action grants.
Interior	Historic preservation; parks; and water.
Justice	LEAA and new prisons location.
Labor	CETA grants, Job Corps and manpower train., and OSHA.
Nat'l Endowment For The Arts	Grants.
Nat'l Science Foundation	Awards and grants.
Transportation	Aviation and airports; Civil Aeronautics Board; highways; navigation; railroads; and urban mass transit.
Water Resources	Dams; customs; and FCC-hearings.

TYPE OF DOC—REQUEST

Topic	*Subtopic*
AG Year Books	
Biographies & Autographs	
Calendars	
Documents	Bills; Congressional Record; reference material; and voting record.
Flags	
Information On State	
Mailing List	
Photographs	
Recipes	
Tours	FBI; gallery passes; Washington, DC; and White House.

50 U.S.C. § 421-422

SUBCHAPTER IV—PROTECTION OF CERTAIN NATIONAL SECURITY INFORMATION [NEW]

§ 421. Protection of identities of certain United States undercover intelligence officers, agents, informants, and sources

(a) Disclosure of information by persons having or having had access to classified information that identifies a covert agent

Whoever, having or having had authorized access to classified information that identifies a covert agent, intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking affirmative measures to conceal such covert agent's intelligence relationship to the United States, shall be fined not more than $50,000 or imprisoned not more than ten years, or both.

(b) Disclosure of information by persons who learn identity of covert agents as a result of having access to classified information

Whoever, as a result of having authorized access to classified information, learns the identity of a covert agent and intentionally discloses any information identifying such covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such covert agent and that the United States is taking affirmative measures to conceal such covert agent's intelligence relationship to the United States, shall be fined not more than $25,000 or imprisoned not more than five years, or both.

(c) Disclosure of information by persons in course of pattern of activities intended to identify and expose covert agents

Whoever, in the course of a pattern of activities intended to identify and expose covert agents and with reason to believe that such activities would impair or impede the foreign intelligence activities of the United States, discloses any information that identifies an individual as a covert agent to any individual not authorized to receive classified information, knowing that the information disclosed so identifies such individual and that the United States is taking affirmative measures to conceal such individual's classified intelligence relationship to the United States, shall be fined not more than $15,000 or imprisoned not more than three years, or both.

(July 26, 1947, c. 343, Title VI, § 601, as added June 23, 1982, Pub. L. 97-200, § 2(a), 96 Stat. 122.)

Legislative History. For legislative history and purpose of Pub. L. 97-200, see 1982 U.S. Code Cong. and Adm. News, p. 145.

§ 422. Defenses and exceptions

(a) Disclosure by United States of identity of covert agent

It is a defense to a prosecution under section 421 of this title that before the commission of the offense with which the defendant is charged, the United States had publicly acknowledged or revealed the intelligence relationship to the United States of the individual the disclosure of whose intelligence relationship to the United States is the basis for the prosecution.

(b) Conspiracy, misprision of felony, aiding and abetting, etc.

(1) Subject to paragraph (2), no person other than a person committing an offense under section 421 of this title shall be subject to prosecution under such section by virtue of section 2 or 4 of Title 18 or shall be subject to prosection for conspiracy to commit an offense under such section.

(2) Paragraph (1) shall not apply (A) in the case of a person who acted in the course of a pattern of activities intended to identify and expose covert agents and with reason to believe that such activities would impair or impede the foreign intelligence activities of the United States, or (B) in the case of a person who has authorized access to classified information.

(c) Disclosure to select Congressional committees on intelligence

It shall not be an offense under section 421 of this title to transmit information described in such section directly to the Select Committee on Intelligence of the Senate or to the Permanent Select Committee on Intelligence of the House of Representatives.

(d) Disclosure by agent of own identity

It shall not be an offense under section 421 of this title for an individual to disclose information that solely identifies himself as a covert agent.

(July 26, 1947, c. 343, Title VI, § 602, as added June 23, 1982, Pub. L. 97-200, § 2(a), 96 Stat. 122.)

Legislative History. For legislative history and purpose of Pub. L. 97-200, see 1982 U.S. Code Cong. and Adm. News, p. 145.

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50 U.S.C. § 1801-1802

CHAPTER 36—FOREIGN INTELLIGENCE SURVEILLANCE

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§ 1801. Definitions

As used in this chapter:

(a) "Foreign power" means—

(1) a foreign government or any component thereof, whether or not recognized by the United States;

(2) a faction of a foreign nation or nations, not substantially composed of United States persons;

(3) an entity that is openly acknowledged by a foreign government or governments to be directed and controlled by such foreign government or governments;

(4) a group engaged in international terrorism or activities in preparation therefor;

(5) a foreign-based political organization, not substantially composed of United States persons; or

(6) an entity that is directed and controlled by a foreign government or governments.

(b) "Agent of a foreign power" means—

(1) any person other than a United States person, who—

(A) acts in the United States as an officer or employee of a foreign power or as a member of a foreign power as defined in subsection (a)(4) of this section;

(B) acts for or on behalf of a foreign power which engages in clandestine intelligence activities in the United States contrary to the interests of the United States, when the circumstances of such person's presence in the United States indicate that such person may engage in such activities in the United States, or when such person knowingly aids or abets any person in the conduct of such activities or knowingly conspires with any person to engage in such activities, or

(2) any person who—

(A) knowingly engages in clandestine intelligence gathering activities for or on behalf of a foreign power, which activities involve or may involve a violation of the criminal statutes of the United States;

(B) pursuant to the direction of an intelligence service or network of a foreign power, knowingly engages in any other clandestine intelligence activities for or on behalf of such foreign power, which activities involve or are about to involve a violation of the criminal statutes of the United States;

(C) knowingly engages in sabotage or international terrorism, or activities that are in preparation therefor, or on behalf of a foreign power; or

(D) knowingly aids or abets any person in the conduct of activities described in subparagraph (A), (B), or (C) or knowingly conspires with any person to engage in activities described in subparagraph (A), (B), or (C).

(c) "International terrorism" means activities that—

(1) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State;

(2) appear to be intended—

(A) to intimidate or coerce a civilian population;

(B) to influence the policy of a government by intimidation or coercion; or

(C) to affect the conduct of a government by assassination or kidnapping; and

(3) occur totally outside the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum.

(d) "Sabotage" means activities that involve a violation of chapter 105 of Title 18, or that would involve such a violation if committed against the United States.

(e) "Foreign intelligence information" means—

(1) information that relates to, and if concerning a United States person is necessary to, the ability of the United States to protect against—

(A) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

(B) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

(C) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

(2) information with respect to a foreign power or foreign territory that relates to, and if concerning a United States person is necessary to—

(A) the national defense or the security of the United States; or

(B) the conduct of the foreign affairs of the United States.

(f) "Electronic surveillance" means—

(1) the acquisition by an electronic, mechanical, or other surveillance device of the contents of any wire or radio communication sent by or intended to be received by a particular, known United States person who is in the United States, if the contents are acquired by intentionally targeting that United States person, under circumstances in which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes;

(2) the acquisition by an electronic, mechanical, or other surveillance device of the contents of any wire communication to or from a person in the United States, without the consent of any party thereto, if such acquisition occurs in the United States;

(3) the intentional acquisition by an electronic, mechanical, or other surveillance device of the contents of any radio communication, under circumstances in which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes, and if both the sender and all intended recipients are located within the United States; or

(4) the installation or use of an electronic, mechanical, or other surveillance device in the United States for monitoring to acquire information, other than from a wire or radio communication, under circumstances in which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes.

(g) "Attorney General" means the Attorney General of the United States (or Acting Attorney General) or the Deputy Attorney General.

(h) "Minimization procedures", with respect to electronic surveillance, means—

(1) specific procedures, which shall be adopted by the Attorney General, that are reasonably designed in light of the purpose and technique of the particular surveillance, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent

with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

(2) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in subsection (e)(1) of this section, shall not be disseminated in a manner that identifies any United States person, without such person's consent, unless such person's identity is necessary to understand foreign intelligence information or assess its importance;

(3) notwithstanding paragraphs (1) and (2), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes; and

(4) notwithstanding paragraphs (1), (2), and (3), with respect to any electronic surveillance approved pursuant to section 1802(a) of this title, procedures that require that no contents of any communication to which a United States person is a party shall be disclosed, disseminated, or used for any purpose or retained for longer than twenty-four hours unless a court order under section 1805 of this title is obtained or unless the Attorney General determines that the information indicates a threat of death or serious bodily harm to any person.

(i) "United States person" means a citizen of the United States, an alien lawfully admitted for permanent residence (as defined in section 1101(a)(20) of Title 8), an unincorporated association a substantial number of members of which are citizens of the United States or aliens lawfully admitted for permanent residence, or a corporation which is incorporated in the United States, but does not include a corporation or an association which is a foreign power, as defined in subsection (a)(1), (2), or (3) of this section.

(j) "United States", when used in a geographic sense, means all areas under the territorial sovereignty of the United States and the Trust Territory of the Pacific Islands.

(k) "Aggrieved person" means a person who is the target of an electronic surveillance or any other person whose communications or activities were subject to electronic surveillance.

(*l*) "Wire communication" means any communication while it is being carried by a wire, cable, or other like connection furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications.

(m) "Person" means any individual, including any officer or employee of the Federal Government, or any group, entity, association, corporation, or foreign power.

(n) "Contents", when used with respect to a communication, includes any information concerning the identity of the parties to such communication or the existence, substance, purport, or meaning of that communication.

(*o*) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory or possession of the United States.

(Pub.L. 95-511, Title I, § 101, Oct. 25, 1978, 92 Stat. 1783.)

Short Title. Section 1 of Pub.L. 95-511 provided: "That this Act [enacting this chapter, amending sections 2511, 2518 and 2519 of Title 18, Crimes and Criminal Procedure, and enacting provision set out as a note under this section] may be cited as the 'Foreign Intelligence Surveillance Act of 1978'."

Effective Date. Section 301 of Pub.L. 95-511 provided that: "The provisions of this Act [enacting this chapter, amending sections 2511, 2518 and 2519 of Title 18, Crimes and Criminal Procedure, and enacting provision set out as a note under this section] and the amendments made hereby shall become effective upon the date of enactment of this Act [Oct. 25, 1978], except that any electronic surveillance approved by the Attorney General to gather foreign intelligence information shall not be deemed unlawful for failure to follow the procedures of this Act, if that surveillance is terminated or an order approving that surveillance is obtained under title I of this Act [this chapter] within ninety days following the designation of the first judge pursuant to section 103 of this Act [section 1803 of this title]."

Legislative History. For legislative history and purpose of Pub.L. 95-511, see 1978 U.S. Code Cong. and Adm.News, p. 3904.

Notes of Decisions

1. Aggrieved person

"Aggrieved person" should be interpreted identically under section 2510 et seq. of Title 18 and this chapter, and thus if person lacks standing to challenge a wiretap under the former, he also lacks standing under the latter. In re Flanagan, D.C.N.Y.1982, 533 F.Supp. 957.

§ 1802. Electronic surveillance authorization without court order; certification by Attorney General; reports to congressional committees; transmittal under seal; duties and compensation of communication common carrier; applications; jurisdiction of court

(a)(1) Notwithstanding any other law, the President, through the Attorney General, may authorize electronic surveillance without a court order under this chapter to acquire foreign intelligence information for periods of up to one year if the Attorney General certifies in writing under oath that—

(A) the electronic surveillance is solely directed at—

(i) the acquisition of the contents of communications transmitted by means of communications used exclusively between or among foreign powers, as defined in section 1801(a)(1), (2), or (3) of this title; or

(ii) the acquisition of technical intelligence, other than the spoken communications of individuals, from property or premises under the open and exclusive control of a foreign power, as defined in section 1801(a)(1), (2), or (3) of this title;

(B) there is no substantial likelihood that the surveillance will acquire the contents of any communication to which a United States person is a party; and

(C) the proposed minimization procedures with respect to such surveillance meet the definition of minimization procedures under section 1801(h) of this title; and

if the Attorney General reports such minimization procedures and any changes thereto to the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence at least thirty days prior to their effective date, unless the Attorney General determines immediate action is required and notifies the committees immediately of such minimization procedures and the reason for their becoming effective immediately.

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18 U.S.C. § 1905

CHAPTER 93—PUBLIC OFFICERS AND EMPLOYEES

§ 1905. Disclosure of confidential information generally

Whoever, being an officer or employee of the United States or of any department or agency thereof, or agent of the Department of Justice as defined in the Antitrust Civil Process Act (15 U.S.C. 1311-1314), publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; shall be fined not more than $1,000, or imprisoned not more than one year, or both; and shall be removed from office or employment.

As amended Sept. 12, 1980, Pub.L. 96-349, § 7(b), 94 Stat. 1158.

1980 Amendment. Pub.L. 96-349 provided for punishment and removal from office of an agent of the Department of Justice as defined in the Anitrust Civil Process Act for disclosure of confidential information.

Legislative History. For legislative history and purpose of Pub.L. 96-349, see 1980 U.S.Code Cong. and Adm News, p. 2716.

Federal Practice and Procedure. Explicit exception for disclosure in response to judicial subpoena, see Wright & Graham: Evidence § 5437.

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50 U.S.C. § 403

CENTRAL INTELLIGENCE AGENCY

(a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof, and with a Deputy Director of Central Intelligence who shall act for, and exercise the powers of, the Director during his absence or disability. The Director and the Deputy Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, or from among individuals in civilian life: *Provided, however,* That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.

(b)(1) If a commissioned officer of the armed services is appointed as Director, or Deputy Director, then—

(A) in the performance of his duties as Director, or Deputy Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, or Deputy Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1), the appointment to the office of Director, or Deputy Director, of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, or Deputy Director, continue to hold rank and grade not lower than that in which serving at the time of his appointment and to receive the military pay and allowance (active or retired, as the case may be, including personal money allowance) payable to a commissioned officer of his grade and length of service for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency. He also shall be paid by the Central Intelligence Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.

(c) Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555),[4] or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.[5]

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided,* That the Agency shall have no police, subpena, law-enforcement powers, or internal-security functions: *Provided further,* That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further,* That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods for unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination; *Provided however,* That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security

(f) Effective when the Director first appointed under subsection (a) has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

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[4] The cited Act of August 24, 1912, was repealed by the law enacting title 5, United States Code (Pubic Law 89-544, Sept. 6, 1966, 80 Stat. 378). The provisions of section 6 of the Act were codified as section 7501 of title 5.

[5] The functions of the Civil Service Commission were transferred to the Director of the Office of Personnel Management by section 102 of Reorganization Plan No. 2 of 1978 (92 Stat. 3783; 5 U.S.C. 1101 note).

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50 U.S.C. § 783

Certain Prohibited Acts

(a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual: *Provided, however,* That this subsection shall not apply to the proposal of a constitutional amendment.

(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government or an officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employees shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is employed, to make such disclosure of such information.

(c) It shall be unlawful for any agent or representative of any foreign government, or any officer or member of any Communist organization as defined in paragraph (5) of section 3 of this title, knowingly to obtain or receive, or attempt to obtain or receive, directly or indirectly, from any officer or employee of the United States or of any department or agency thereof or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, unless special authorization for such communication shall first have been obtained from the head of the department, agency, or corporation, having custody of or control over such information.

(d) Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine of not more than $10,000, or imprisonment for not more than ten years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

(e) Any person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after the commission of such offense, notwithstanding the provisions of any other statute of limitations: *Provided,* That if at the time of the commission of the offense such person is an officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, such person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after such person has ceased to be employed as such officer or employee.

(f) Neither the holding of office nor membership in any Communist organization by any person shall constitute per se a violation of subsection (a) or subsection (c) of this section or of any other criminal statute.

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18 U.S.C. § 952

Diplomatic codes and correspondence

Whoever, by virtue of his employment by the United States, obtains from another or has or has had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and without authorization or competent authority, willfully publishes or furnishes to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

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5 U.S.C. § 552

(The "Freedom of Information Act")

Public information; agency rules, opinions, orders, records, and proceedings

(a) Each agency shall make available to the public information as follows:

(1) Each agency shall separately state and currently publish in the Federal Register for the guidance of the public—

> (A) descriptions of its central and field organization and the established places at which, the employees (and in the case of a uniformed service, the members) from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;
>
> (B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and infomal procedures available;
>
> (C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations;
>
> (D) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and
>
> (E) each amendment, revision, or repeal of the foregoing.

Except to the extent that a person has actual and timely notice of the terms thereof, a person may not in any manner be required to resort to, or be adversely affected by, a matter required to be published in the Federal Register and not so published. For the purpose of this paragraph, matter reasonably available to the class of persons affected thereby is deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

(2) Each agency, in accordance with published rules, shall make available for public inspection and copying—

> (A) final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;
>
> (B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register; and
>
> (C) administrative staff manuals and instructions to staff that affect a member of the public;

unless the materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction. However, in each case the justification for the deletion shall be explained fully in writing. Each agency shall also maintain and make available for public inspection and copying current indexes providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and required by this paragraph to be made available or published. Each agency shall promptly publish, quarterly or more frequently, and distribute (by sale or otherwise) copies of each index or supplements thereto unless it determines by order published in the Federal Register that the publication would be unnecessary and impracticable, in which case the agency shall nonetheless provide copies of such index on request at a cost not to exceed the direct cost of duplication. A final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects a member of the public may be relied on, used, or cited as precedent by an agency against a party other than an agency only if—

(i) it has been indexed and either made available or published as provided by this paragraph; or

(ii) the party has actual and timely notice of the terms thereof.

(3) Except with respect to the records made available under paragraphs (1) and (2) of this subsection, each agency, upon any request for records which (A) reasonably describes such records and (B) is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed, shall make the records promptly available to any person.

(4)(A) In order to carry out the provisions of this section, each agency shall promulgate regulations, pursuant to notice and receipt of public comments, specifying a uniform schedule of fees applicable to all constituent units of such agency. Such fees shall be limited to reasonable standard charges for document search and duplication and provide for recovery of only the direct costs of such search and duplication. Documents shall be furnished without charge or at a reduced charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

(B) On complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant. In such a case the court shall determine the matter de novo, and may examine the contents of such agency records in camera to determine whether such records or any part thereof shall be withheld under any of the exemptions set forth in subsection (b) of this section, and the burden is on the agency to sustain its action.

(C) Notwithstanding any other provision of law, the defendant shall serve an answer or otherwise plead to any complaint made under this subsection within thirty days after service upon the defendant of the pleading in which such complaint is made, unless the court otherwise directs for good cause shown.

(D) Except as to cases the court considers of greater importance, proceedings before the district court, as authorized by this subsection, and appeals therefrom, take precedence on the docket over all cases and shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(E) The court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this section in which the complainant has substantially prevailed.

(F) Whenever the court orders the production of any agency records improperly withheld from the complainant and assesses against the United States reasonable attorney fees and other litigation costs, and the court additionally issues a written finding that the circumstances surrounding the withholding raise questions whether agency personnel acting arbitrarily or capriciously with respect to the withholding, the Special Counsel shall promptly initiate a proceeding to determine whether disciplinary action is warranted against the officer or employee who was primarily responsible for the withholding. The Special Counsel, after investigation and consideration of the evidence submitted, shall submit his findings and recommendations to the administrative authority of the agency concerned and shall send copies of the findings and recommendations to the officer or employee or his representative. The administrative authority shall take the corrective action that the Special Counsel recommends.

(G) In the event of noncompliance with the order of the court, the district court may punish for contempt the responsible employee, and in the case of a uniformed service, the responsible member.

(5) Each agency having more than one member shall maintain and make available for public inspection a record of the final votes of each member in every agency proceeding.

(6)(A) Each agency, upon any request for record made under paragraph (1), (2), or (3) of this subsection, shall—

(i) determine within ten days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefor, and of the right of such person to appeal to the head of the agency any adverse determination; and

(ii) make a determination with respect to any appeal within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of such appeal. If on appeal the denial of the request for records is in whole or in part upheld, the agency shall notify the person making such request of the provisions for judicial review of that determination under paragraph (4) of this subsection.

(B) In unusual circumstances as specified in this subparagraph, the time limits prescribed in either clause (i) or clause (ii) of subparagraph (A) may be extended by written notice to the person making such request setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. No such notice shall specify a date that would result in an extension for more than ten working days. As used in this subparagraph, "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request—

(i) the need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

(ii) the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(iii) the need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject-matter interest therein.

(C) Any person making a request to any agency for records under paragraph (1), (2), or (3) of this subsection shall be deemed to have exhausted his administrative remedies with respect to such request if the agency fails to comply with the applicable time limit provisions of this paragraph. If the Government can show exceptional circumstances exist and that the agency is exercising due diligence in responding to the request, the court may retain jurisdiction and allow the agency additional time to complete its review of the records. Upon any determination by an agency to comply with a request for records, the records shall be made promptly available to such person making such request. Any notification of denial of any request for records under this subsection shall set forth the names and titles or positions of each person responsible for the denial of such request.

(b) This section does not apply to matters that are—

(1)(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;

(2) related solely to the internal personnel rules and practices of an agency;

(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(7) investigatory records compiled for law enforcement purposes, but only to the extent that the production of such records would (A) interfere with enforcement proceedings, (B) deprive a person of a right to a fair trial or an impartial adjudication, (C) constitute an unwarranted invasion of personal privacy, (D) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (E) disclose investigative techniques and procedures, or (F) endanger the life or physical safety of law enforcement personnel;

(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(9) geological and geophysical information and data, including maps, concerning wells.

Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this subsection.

(c) This section does not authorize withholding of information or limit the availability of records to the public, except as specifically stated in this section. This section is not authority to withhold information from Congress.

(d) On or before March 1 of each calendar year, each agency shall submit a report covering the preceding calendar year to the Speaker of the House of Representatives and President of the Senate for referral to the appropriate committees of the Congress. The report shall include—

(1) the number of determinations made by such agency not to comply with requests for records made to such agency under subsection (a) and the reasons for each such determination;

(2) the number of appeals made by persons under subsection (a)(6), the result of such appeals, and the reason for the action upon each appeal that results in a denial of information;

(3) the names and titles or positions of each person responsible for the denial of records requested under this section, and the number of instances of participation for each;

(4) the results of each proceeding conducted pursuant to subsection (a)(4)(F), including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken;

(5) a copy of every rule made by such agency regarding this section;

(6) a copy of the fee schedule and the total amount of fees collected by the agency for making records available under this section; and

(7) such other information as indicates efforts to administer fully this section.

The Attorney General shall submit an annual report on or before March 1 of each calendar year which shall include for the prior calendar year a listing of the number of cases arising under this section, the exemption involved in each case, the disposition of such case, and the cost, fees, and penalties assessed under subsections (a)(4)(E), (F) and (G). Such reports shall also include a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

(e) For purposes of this section, the term "agency" as defined in section 551(1) of this title includes any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.

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5 U.S.C. § 552a

Records maintained on individuals

(a) Definitions.—For purposes of this section—

(1) the term "agency" means agency as defined in section 552(e) of this title;

(2) the term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(3) the term "maintain" includes maintain, collect, use, or disseminate;

(4) the term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(5) the term "system of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(6) the term "statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by section 8 of title 13; and

(7) the term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

(b) Conditions of Disclosure.—No agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be—

(1) to those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

(2) required under section 552 of this title;

(3) for a routine use as defined in subsection (a)(7) of this section and described under subsection (e)(4)(D) of this section;

(4) to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

(5) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(10) to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office;

(11) pursuant to the order of a court of competent jurisdiction; or

(12) to a consumer reporting agency in accordance with section 3711(f) of title 31.

(c) Accounting of Certain Disclosures.—Each agency, with respect to each system of records under its control, shall—

(1) except for disclosures made under subsections (b)(1) or (b)(2) of this section, keep an accurate accounting of—

(A) the date, nature, and purpose of each disclosure of a record to any person or to another agency made under subsection (b) of this section; and

(B) the name and address of the person or agency to whom the disclosure is made;

(2) retain the accounting made under paragraph (1) of this subsection for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made;

(3) Except for disclosures made under subsection (b)(7) of this section, make the accounting made under paragraph (1) of this subsection available to the individual named in the record at his request; and

(4) inform any person or other agency about any correction or notation of dispute made by the agency in accordance with subsection (d) of this section of any record that has been disclosed to the person or agency if an accounting of the disclosure was made.

(d) Access to Records.—Each agency that maintains a system of records shall—

(1) upon request by any individual to gain access to his record or to any information pertaining to him which is contained in the system, permit him and upon his request, a person of his own choosing to accompany him, to review the record and have a copy made of all or any portion thereof in a form comprehensible to him, except that the agency may require the individual to furnish a written statement authorizing discussion of that individual's record in the accompanying person's presence;

(2) permit the individual to request amendment of a record pertaining to him and—

(A) not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request, acknowledge in writing such receipt; and

(B) promptly, either—

(i) make any correction of any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or

(ii) inform the individual of its refusal to amend the record in accordance with his requests, the reason for the refusal, the procedures established by the agency for the individual to request a review of that refusal by the head of the agency or an officer designated by the head of the agency, and the name and business address of that official;

(3) permit the individual who disagrees with the refusal of the agency to amend his record to request a review of such refusal, and not later than 30 days (excluding Saturdays, Sundays, and legal public holidays) from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the head of the agency extends such 30-day period; and, if after his review, the reviewing official also refuses to amend the record in accordance with the request, permit the individual to file with the agency a concise statement setting forth the reasons for his disagreement with the refusal of the agency, and notify the individual of the provisions for judicial review of the reviewing official's determination under subsection (g)(1)(A) of this section;

(4) in any disclosure, containing information about which the individual has filed a statement of disagreement, occurring after the filing of the statement under paragraph (3) of this subsection, clearly note any portion of the record which is disputed and provide copies of the statement and, if the agency deems it appropriate, copies of a concise statement of the reasons of the agency for not making the amendments requested, to persons or other agencies to whom the disputed record has been disclosed; and

(5) nothing in this section shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.

(e) Agency Requirements.—Each agency that maintains a system of records shall—

(1) maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or by executive order of the President;

(2) collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs;

(3) inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual—

(A) the authority (whether granted by statute, or by executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(B) the principal purpose or purposes for which the information is intended to be used;

(C) the routine uses which may be made of the information, as published pursuant to paragraph (4)(D) of this subsection; and

(D) the effects on him, if any, of not providing all or any part of the requested information;

(4) subject to the provisions of paragraph (11) of this subsection, publish in the Federal Register upon establishment or revision a notice of the existence and character of the system of records, which notice shall include—

(A) the name and location of the system;

(B) the categories of individuals on whom records are maintained in the system;

(C) the categories of records maintained in the system;

(D) each routine use of the records contained in the system, including the categories of users and the purpose of such use;

(E) the policies and practices of the agency regarding storage, retrievability, access controls, retention and disposal of the records;

(F) the title and business address of the agency official who is responsible for the system of records;

(G) the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

(H) the agency procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its content; and

(I) the categories of sources of records in the system;

(5) maintain all records which are used by the agency in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination;

(6) prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to subsection (b)(2) of this section, make reasonable efforts to assure that such records are accurate, complete, timely, and relevant for agency pruposes;

(7) maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authroized law enforcement activity;

(8) make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record;

(9) establish rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, and instruct each such person with respect to such rules and the requirements of this section, including any other rules and proce-

dures adopted pursuant to this section and the penalties for noncompliance;

(10) establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any invidividual on whom information in maintained; and

(11) at least 30 days prior to publication of information under paragraph (4)(D) of this subsection, publish in Federal Register notice on any new use or intended use of the information in the system, and provide an opportunity for interested persons to submit written data, views, or arguments, to the agency.

(f) Agency Rules.—In order to carry out the provisions of this section, each agency that maintains a system of records shall promulgate rules, in accordance with the requirements (including general notice) of section 553 of this title, which shall—

(1) establish procedures whereby an individual can be notified in response to his request if any system of records named by the individual contains a record pertaining to him;

(2) define reasonable times, places, and requirements for identifying an individual who requests his record of information pertaining to him before the agency shall make the record or information available to the individual;

(3) establish procedures for the disclosure to an individual upon his request of his record or information pertaining to him, including special procedure, if deemed necessary, for the disclosure to an individual of medical records, including psychological records pertaining to him;

(4) establish procedures for reviewing a request from an individual concerning the amendment to any record or information pertaining to the individual, for making a determination on the request, for an appeal within the agency of an initial adverse agency determination, and for whatever additional means may be necessary for each individual to be able to exercise fully his rights under this section; and

(5) establish fees to be charged, if any, to any individual for making copies of his record, excluding the cost of any search for and review of the record.

The Office of the Federal Register shall annually compile and publish the rules promulgated under this subsection and agency notices published under subsection (e)(4) of this section in a form available to the public at low cost.

(g)(1) Civil Remedies.—Whenever any agency—

(A) makes a determination under subsection (a)(3) of this section not to amend an individual's record in accordance with his request, or fails to make such review in conformity with that subsection;

(B) refuses to comply with an individual request under subsection (d)(1) of this section;

(C) fails to maintain any record concerning any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualification, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such record, and consequently a determination is made which is adverse to the individual; or

(D) fails to comply with any other provision of this section, or any rule promulgated thereunder, in such a way as to have an adverse effect on an individual,

the individual may bring a civil action against the agency, and the district courts of the United States shall have jurisdiction in the matters under the provisions of this subsection.

(2)(A) In any suit brought under the provisions of subsection (g)(1)(A) of this section, the court may order the agency to amend the individual's record in accordance with his request or in such other way as the court may direct. In such a case the court shall determine the matter de novo.

(B) The court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this paragraph in which the complainant has substantially prevailed.

(3)(A) In any suit brought under the provisions of subsection (g)(1)(B) of this section, the court may enjoin the agency from withholding the records and order the production to the complainant of any agency records improperly withheld from him. In such a case the court shall determine the matter de novo, and may examine the contents of any agency records in camera to determine whether the records or any of the exemptions set forth in subsection (k) of this section, and the burden is on the agency to sustain its action.

(B) The court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this paragraph in which the complainant has substantially prevailed.

(4) In any suit brought under the provisions of subsection (g)(1) (C) or (D) of this section in which the court determines that the agency acted in a manner which was intentional or willful, the United States shall be liable to the individual in an amount equal to the sum of—

(A) actual damages sustained by the individual as a result of the refusal or failure, but in no case shall a person entitled to recovery receive less than the sum of $1,000; and

(B) the costs of the action together with reasonable attorney fees as determined by the court.

(5) an action to enforce any liability created under this section may be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, without regard to the amount in controversy, within two years from the date on which the cause of action arises, except that where an agency has materially and willfully misrepresented any information required under this section to be disclosed to an individual and the information so misrepresented is material to establishment of the liability of the agency to the individual under this section, the action may be brought at any time within two years after discovery by the individual of the misrepresentation. Nothing in this section shall be construed to authorize any civil action by reason of any injury sustained as the result of a disclosure of a record prior to September 27, 1975.

(h) Rights of Legal Guardians.—For the purposes of this section, the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.

(i)(1) Criminal Penalties.—Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section or by rules or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than $5,000.

(2) Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of subsection (e)(4) of this section shall be guilty of a misdemeanor and fined not more than $5,000.

(3) Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000.

(j) General Exemptions.—The head of any agency may promulgate rules, in accordance with the requirements (including general notice) of sections 553(b) (1), (2), and (3), (c), and (e) of this title, to exempt any system of records within the agency from any part of this section except subsections (b), (c) (1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i) if the system of records is—

(1) maintained by the Central Intelligence Agency; or

(2) maintained by an agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities, and which consists of (A) information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with

an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

At the time rules are adopted under this subsection, the agency shall include in the statement required under section 553(c) of this title, the reasons why the system of records is to be exempted from a provision of this section.

(k) Specific Exemptions.—The head of any agency may promulgate rules, in accordance with the requirements (including general notice) of sections 553(b) (1), (2), and (3), (c), and (e) of this title, to exempt any systems of records within the agency from subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f) of this section if the system of records is—

(1) subject to the provisions of section 552(b)(1) of this title;

(2) investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of this section: *Provided, however,* That if any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section [September 27, 1975], under an implied promise that the identity of the source would be held in confidence;

(3) maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18;

(4) required by statute to be maintained and used solely as statistical records;

(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section [September 26, 1975], under an implied promise that the identity of the source would be held in confidence;

(6) testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

(7) evaluation material used to determine potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section [September 27, 1975], under an implied promise that the identity of the source would be held in confidence.

At the time rules are adopted under this subsection, the agency shall include in the statement required under section 553(c) of this title the reasons why the system of records is to be exempted from a provision of this section.

(l)(1) Archival Records.—Each agency record which is accepted by the Administrator of General Services for storage, processing, and servicing in accordance with section 3103 of title 44 shall, for the purposes of this section, be considered to be maintained by the agency which deposited the record and shall be subject to the provisions of this section. The Administrator of General Services shall not disclose the record except to the agency which maintains the record, or under rules established by that agency which are not inconsistent with the provisions of this section.

(2) Each agency record pertaining to an identifiable individual which was transferred to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, prior to the effective date of this section [September 27, 1975], shall, for the purposes of this section, be considered to be maintained by the National Archives and shall not be subject to the provisions of this section, except that a statement generally describing such records (modeled after the requirements relating to records subject to subsections (e)(4) (A) through (G) of this section) shall be published in the Federal Register.

Executive Order No. 12356 of National Security Information

(April 2, 1982, 47 F.R. 14874)

This Order prescribes a uniform system for classifying, declassifying, and safeguarding national security information. It recognizes that it is essential that the public be informed concerning the activities of its Government, but that the interests of the United States and its citizens require that certain information concerning the national defense and foreign relations be protected against unauthorized disclosure. Information may not be classified under this Order unless its disclosure reasonably could be expected to cause damage to the national security.

NOW, by the authority vested in me as President by the Constitution and laws of the United States of America, it is hereby ordered as follows:

Part 1

Original Classification

Section 1.1 *Classification Levels.*

(a) National security information (hereinafter "classified information") shall be classified at one of the following three levels:

(1) "Top Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security.

(2) "Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.

(3) "Confidential" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.

(b) Except as otherwise provided by statute, no other terms shall be used to identify classified information.

(c) If there is reasonable doubt about the need to classify information, it shall be safeguarded as if it were classified pending a determination by an original classification authority, who shall make this determination within thirty (30) days. If there is reasonable doubt about the appropriate level of classification, it shall be safeguarded at the higher level of classification pending a determination by an original classification authority, who shall make this determination within thirty (30) days.

Sec. 1.2 *Classification Authority.*

(a) *Top Secret.* The authority to classify information originally as Top Secret may be exercised only by:

(1) the President;

(2) agency heads and officials designated by the President in the Federal Register; and

(3) officials delegated this authority pursuant to Section 1.2(d).

(b) *Secret.* The authority to classify information originally as Secret may be exercised only by:

(1) agency heads and officials designated by the President in the Federal Register;

(2) officials with original Top Secret classification authority; and

(3) officials delegated such authority pursuant to Section 1.2(d).

(c) *Confidential.* The authority to classify information originally as Confidential may be exercised only by:

(1) agency heads and officials designated by the President in the Federal Register.

(2) officials with original Top Secret or Secret classification authority; and

(3) officials delegated such authority pursuant to Section 1.2(d).

(d) *Delegation of Original Classification Authority.*

(1) Delegations of original classification authority shall be limited to the minimum required to administer this Order. Agency heads are responsible for ensuring that designated subordinate officials have a demonstrable and continuing need to exercise this authority.

(2) Original Top Secret classification authority may be delegated only by the President; an agency head or official designated pursuant to Section 1.2(a)(2); and the senior official designated under Section 5.3(a)(1), provided that official has been delegated original Top Secret classification authority by the agency head.

(3) Original Secret classification authority may be delegated only by the President; an agency head or official designated pursuant to Sections 1.2(a)(2) and 1.2(b)(1); an official with original Top Secret classification authority; and the senior official designated under Section 5.3(a)(1), provided that official has been delegated original Secret classification authority by the agency head.

(4) Original Confidential classification authority may be delegated only by the President; an agency head or official designated pursuant to Sections 1.2(a)(2), 1.2(b)(1) and 1.2(c)(1); an official with original Top Secret classification authority; and the senior official designated under Section 5.3(a)(1), provided that official has been delegated original classification authority by the agency head.

(5) Each delegation of original classification authority shall be in writing and the authority shall not be redelegated except as provided in this Order. It shall identify the official delegated the authority by name or position title. Delegated classification authority includes the authority to classify information at the level granted and lower levels of classification.

(e) *Exceptional Cases.* When an employee, contractor, licensee, or grantee of an agency that does not have original classification authority originates information believed by that person to require classification, the information shall be protected in a manner consistent with this Order and its implementing directives. The information shall be transmitted promptly as provided under this Order or its implementing directives to the agency that has appropriate subject matter interest and classification authority with respect to this information. That agency shall decide within thirty (30) days whether to classify this information. If it is not clear which agency has classification responsibility for this information, it shall be sent to the Director of the Information Security Oversight Office. The Director shall determine the agency having primary subject matter interest and forward the information, with appropriate recommendations, to that agency for a classification determination.

Sec. 1.3 *Classification Categories.*

(a) Information shall be considered for classification if it concerns:

(1) military plans, weapons, or operations;

(2) the vulnerabilities or capabilities of systems, installations, projects, or plans relating to the national security;

(3) foreign government information;

(4) intelligence activities (including special activities), or intelligence sources or methods;

(5) foreign relations or foreign activities of the United States;

(6) scientific, technological, or economic matters relating to the national security;

(7) United States Government programs for safeguarding nuclear materials or facilities;

(8) cryptology;

(9) a confidential source; or

(10) other categories of information that are related to the national security and that require protection against unauthorized disclosure as determined by the President or by agency heads or other officials who have been delegated original classification authority by the President. Any determination made under this subsection shall be reported promptly to the Director of the Information Security Oversight Office.

(b) Information that is determined to concern one or more of the categories in Section 1.3(a) shall be classified when an original classification authority also determines that its unauthorized disclosure, either by itself or in the context of other information, reasonably could be expected to cause damage to the national security.

(c) Unauthorized disclosure of foreign government information, the identity of a confidential foreign source, or intelligence sources or methods is presumed to cause damage to the national security.

(d) Information classified in accordance with Section 1.3 shall not be declassified automatically as a result of any unofficial publication or inadvertent or unauthorized disclosure in the United States or abroad of identical or similar information.

Sec. 1.4 *Duration of Classification.*

(a) Information shall be classified as long as required by national security considerations. When it can be determined, a specific date or event for declassification shall be set by the original classification authority at the time the information is originally classified.

(b) Automatic declassification determinations under predecessor orders shall remain valid unless the classification is extended by an authorized official of the originating agency. These extensions may be by individual documents or categories of information. The agency shall be responsible for notifying holders of the information of such extensions.

(c) Information classified under predecessor orders and marked for declassification review shall remain classified until reviewed for declassification under the provisions of this Order.

Sec. 1.5 *Identification and Markings.*

(a) At the time of original classification, the following information shall be shown on the face of all classified documents, or clearly associated with other forms of classified information in a manner appropriate to the medium involved, unless this information itself would reveal a confidential source or relationship not otherwise evident in the document or information:

(1) one of the three classification levels defined in Section 1.1;

(2) the identity of the original classification if other than the person whose name appears as the approving or signing official;

(3) the agency and office of origin; and

(4) the date or event for declassification, or the notation "Originating Agency's Determination Required."

(b) Each classified document shall, by marking or other means, indicate which portions are classified, with the applicable classification level, and which portions are not classified. Agency heads may, for good cause, grant and revoke waivers of this requirement for specified classes of documents or information. The Director of the Information Security Oversight Office shall be notified of any waivers.

(c) Marking designations implementing the provisions of this Order, including abbreviations, shall conform to the standards prescribed in implementing directives issued by the Information Security Oversight Office.

(d) Foreign government information shall either retain its original classification or be assigned a United States classification that shall ensure a degree of protection at least equivalent to that required by the entity that furnished the information.

(e) Information assigned a level of classification under predecessor orders shall be considered as classified at that level of classification despite the omission of other required markings. Omitted markings may be inserted on a document by the officials specified in Section 3.1(b).

Sec. 1.6 *Limitations on Classification.*

(a) In no case shall information be classified in order to conceal violations of law, inefficiency, or administrative error; to prevent embarrassment to a person, organization, or agency; to restrain competition; or to prevent or delay the release of information that does not require protection in the interest of national security.

(b) Basic scientific research information not clearly related to the national security may not be classified.

(c) The President or an agency head or official designated under Sections 1.2(a)(2), 1.2(b)(1), or 1.2(c)(1) may reclassify information previously declassified and disclosed if it is determined in writing that (1) the information requires protection in the interest of national security; and (2) the information may reasonably be recovered. These reclassification actions shall be reported promptly to the Director of the Information Security Oversight Office.

(d) Information may be classified or reclassified after an agency has received a request for it under the Freedom of Information Act (5 U.S.C. 552) or the Privacy Act of 1974 (5 U.S.C. 552a), or the mandatory review provisions of this Order (Section 3.4) if such classification meets the requirements of this Order and is accomplished personally and on a document-by-document basis by the agency head, the deputy agency head, the senior agency official designated under Section 5.3(a)(1), or an official with original Top Secret classification authority.

Part 2

Derivative Classification

Sec. 2.1 *Use of Derivative Classification.*

(a) Derivative classification is (1) the determination that information is in substance the same as information currently classified, and (2) the application of the same classification markings. Persons who only reproduce, extract, or summarize classified information, or who only apply classification markings derived from source material or as directed by a classification guide, need not possess original classification authority.

(b) Persons who apply derivative classification markings shall: (1) observe and respect original classification decisions; and (2) carry forward to any newly created documents any assigned authorized markings. The declassification date or event that provides the longest period of classification shall be used for documents classified on the basis of multiple sources.

Sec. 2.2 *Classification Guides.*

(a) Agencies with original classification authority shall prepare classification guides to facilitate the proper and uniform derivative classification of information.

(b) Each guide shall be approved personally and in writing by an official who:

(1) has program or supervisory responsibility over the information or is the senior agency official designated under Section 5.3(a)(1); and

(2) is authorized to classify information orignally at the highest level of classification prescribed in the guide.

(c) Agency heads may, for good cause, grant and revoke waivers of the requirement to prepare classification guides for specified classes of documents or information. The Director of the Information Security Oversight Office shall be notified of any waivers.

Part 3

Declassification and Downgrading

Sec. 3.1 *Declassification Authority.*

(a) Information shall be declassified or downgraded as soon as national security considerations permit. Agencies shall coordinate their review of classified information with other agencies that have a direct interest in the subject matter. Information that continues to meet the classification requirements prescribed by Section 1.3 despite the passage of time will continue to be protected in accordance with this Order.

(b) Information shall be declassified or downgraded by the official who authorized the original classification, if that official is still serving in the same position; the originator's successor; a supervisory official of either; or officials delegated such authority in writing by the agency head or the senior agency official designated pursuant to Section 5.3(a)(1).

(c) If the Director of the Information Security Oversight Office determines that information is classified in violation of this Order, the Director may require the information to be declassified by the agency that originated the classification. Any such decision by the Director may be appealed to the National Security Council. The information shall remain classified, pending a prompt decision on the appeal.

(d) The provisions of this Section shall also apply to agencies that, under the terms of this Order, do not have orignial classification authority, but that had such authority under predecessor orders.

Sec. 3.2 *Transferred Information.*

(a) In the case of classified information transferred in conjunction with a transfer of functions, and not merely for storage purposes, the receiving agency shall be deemed to be the originating agency for purposes of this Order.

(b) In the case of classified information that is not officially transferred as described in Section 3.2(a), but that originated in an agency that has ceased to exist and for which there is no successor agency, each agency in possession of such information shall be deemed to be the originating agency for purposes of this Order. Such information may be declassified or downgraded by the agency in possession after consultation with any other agency that has an interest in the subject matter of the information.

(c) Classified information accessioned into the National Archives of the United States shall be declassified or downgraded by the Archivist of the United States in accordance with this Order, the directives of the Information Security Oversight Office, and agency guidelines.

Sec. 3.3 *Systematic Review for Declassification.*

(a) The Archivist of the United States shall, in accordance with procedures and timeframes prescribed in the Information Security Oversight Office's directives implementing this Order, systematically review for declassification or downgrading (1) classified records accessioned into the National Archives of the United States, and (2) classified presidential papers or records under the Archivist's control. Such information shall be reviewed by the Archivist for declassification or downgrading in accordance with systematic review guidelines that shall be provided by the head of the agency that originated the information, or in the case of foreign government information, by the Director of the Information Security Oversight Office in consultation with interested agency heads.

(b) Agency heads may conduct internal systematic review programs for classified information originated by their agencies contained in records determined by the Archivist to be permanently valuable but that have not been accessioned into the National Archives of the United States.

(c) After consultation with affected agencies, the Secretary of Defense may establish special procedures for systematic review for declassification of classified cryptologic information, and the Director of Central Intelligence may establish special procedures for systematic review for declassification of classified information pertaining to intelligence activities (including special activities), or intelligence sources or methods.

Sec. 3.4 *Mandatory Review for Declassification.*

(a) Except as provided in Section 3.4(b), all information classified under this Order or predecessor orders shall be subject to a review for declassification by the originating agency, if:

(1) the request is made by a United States citizen or permanent resident alien, a federal agency, or a State or local government; and

(2) the request describes the document or material containing the information with sufficient specificity to enable the agency to locate it with a reasonable amount of effort.

(b) Information originated by a President, the White House Staff, by committees, commissions, or boards appointed by the President, or others specifically providing advice and counsel to a President or acting on behalf of a President is exempted from the provisions of Section 3.4(a). The Archivist of the United States shall have the authority to review, downgrade and declassify information under the control of the Administrator of General Services or the Archivist pursuant to sections 2107, 2107 note, or 2203 of title 44, United States Code. Review procedures developed by the Archivist shall provide for consultation with agencies having primary subject matter interest and shall be consistent with the provisions of applicable laws or lawful agreements that pertain to the respective presidential papers or records. Any decision by the Archivist may be appealed to the Director of the Information Security Oversight Office. Agencies with primary subject matter interest shall be notified promptly of the Director's decision on such appeals and may further appeal to the National Security Council. The information shall remain classified pending a prompt decision on the appeal.

(c) Agencies conducting a mandatory review for declassification shall declassify information no longer requiring protection under this Order. They shall release this information unless withholding is otherwise authorized under applicable law.

(d) Agency heads shall develop procedures to process requests for the mandatory review of classified information. These procedures shall apply to information classified under this or predecessor orders. They shall also provide a means for administratively appealing a denial of a mandatory review requests.

(e) The Secretary of Defense shall develop special procedures for the review of cryptologic information, and the Director of Central Intelligence shall develop special procedures for the review of information pertaining to intelligence activities (including special activities), or intelligence sources or methods, after consultation with affected agencies. The Archivist shall develop special procedures for the review of information accessioned into the National Archives of the United States.

(f) In response to a request for information under the Freedom of Information Act, the Privacy Act of 1974, or the mandatory review provisions of this Order:

(1) An agency shall refuse to confirm or deny the existence or non-existence of requested information whenever the fact of its existence or non-existence is itself classifiable under this Order.

(2) When an agency receives any request for documents in its custody that were classified by another agency, it shall refer copies of the request and the requested documents to the originating agency for processing, and may, after consultation with the originating agency, inform the requester of the referral. In cases in which the originating agency determines in writing that a response under Section 3.4(f)(1) is required, the referring agency shall respond to the requester in accordance with that Section.

Part 4

Safeguarding

Sec. 4.1 *General Restrictions on Access*

(a) A person is eligible for access to classified information provided that a determination of trustworthiness has been made by agency heads of designated officials and provided that such access is essential to the accomplishment of lawful and authorized Government purposes.

(b) Controls shall be established by each agency to ensure that classified information is used, processed, stored, reproduced, transmitted, and destroyed only under conditions that will provide adequate protection and prevent access by unauthorized persons.

(c) Classified information shall not be disseminated outside the executive branch except under conditions that ensure that the information will be given protection equivalent to that afforded within the executive branch.

(d) Except as provided by directives issued by the President through the National Security Council, classified information originating in one agency may not be disseminated outside any other agency to which it has been made available without the consent of the originating agency. For purposes of this Section, the Department of Defense shall be considered one agency.

Sec. 4.2 *Special Access Programs.*

(a) Agency heads designated pursuant to Section 1.2(a) may create special access programs to control access, distribution, and protection of particularly sensitive information classified pursuant to this Order or predecessor orders. Such programs may be created or continued only at the written direction of these agency heads. For special access programs pertaining to intelligence activities (including special activities but not including military operational, strategic and tactical programs), or intelligence sources or methods, this function will be exercised by the Director of Central Intelligence.

(b) Each agency head shall establish and maintain a system of accounting for special access programs. The Director of the Information Security Oversight Office, consistent with the provisions of Section 5.2(b)(4), shall have non-delegable access to all such accountings.

Sec. 4.3 *Access by Historical Researchers and Former Presidential Appointees.*

(a) The requirement in Section 4.1(a) that access to classified information may be granted only as is essential to the accomplishment of authorized and lawful Government purposes may be waived as provided in Section 4.3(b) for persons who:

(1) are engaged in historical research projects, or

(2) previously have occupied policy-making positions to which they were appointed by the President.

(b) Waivers under Section 4.3(a) may be granted only if the originating agency:

(1) determines in writing that access is consistent with the interest of national security;

(2) takes appropriate steps to protect classified information from unauthorized disclosure or compromise, and ensures that the information is safeguarded in a manner consistent with this Order; and

(3) limits the access granted to former presidential appointees to items that the person originated, reviewed, signed, or received while serving as a presidential appointee.

Part 5

Implementation and Review

Sec. 5.1 *Policy Direction.*

(a) The National Security Council shall provide overall policy direction for the information security program.

(b) The Administrator of General Services shall be responsible for implementing and monitoring the program established pursuant to this Order. The Administrator shall delegate the implementation and monitorship functions of this program to the Director of the Information Security Oversight Office.

Sec. 5.2 *Information Security Oversight Office*

(a) The Information Security Oversight Office shall have a full-time Director appointed by the Administrator of General Services subject to approval by the President. The Director shall have the authority to appoint a staff for the Office.

(b) The Director shall:

(1) develop, in consultation with the agencies, and promulgate, subject to the approval of the National Security Council, directives for the implementation of this Order, which shall be binding on the agencies;

(2) oversee agency actions to ensure compliance with this Order and implementing directives;

(3) review all agency implementing regulations and agency guidelines for systematic declassification review. The Director shall require any regulation or guideline to be changed if it is not consistent with this Order or implementing directives. Any such decision by the Director may be appealed to the National Security Council. The agency regulation or guideline shall remain in effect pending a prompt decision on the appeal;

(4) have the authority to conduct on-site reviews of the information security program of each agency that generates or handles classified information and to require of each agency those reports, information, and other cooperation that may be necessary to fulfill the Director's responsibilities. if these reports, inspections, or access to specific categories of classified information would pose an exceptional national security risk, the affected agency head or the senior official deignated under Section 5.3(a)(1) may deny access. The Director may appeal denials to the National Security Council. The denial of access shall remain in effect pending a prompt decision on the appeal;

(5) review requests for original classification authority from agencies or officials not granted original classification authority and, if deemed appropriate, recommend presidential approval;

(6) consider and take action on complaints and suggestions from persons within or outside the Government with respect to the administration of the information security program;

(7) have the authority to prescribe, after consultation with affected agencies, standard forms that will promote the implementation of the information security program;

(8) report at least annually to the President through the National Security Council on the implementation of this Order; and

(9) have the authority to convene and chair interagency meetings to discuss matters pertaining to the information security program.

Sec. 5.3 *General Responsibilities.*

Agencies that originate or handle classified information shall:

(a) designate a senior agency official to direct and administer its information security program, which shall include an active oversight and security education program to ensure effective implementation of this Order;

(b) promulgate implementing regulations. Any unclassifed regulations that establish agency information security policy shall be published in the Federal Register to the extent that these regulations affect members of the public;

(c) establish procedures to prevent unnecessary access to classified information, including procedures that (i) require that a demonstrable need for access to classified information is established before initiating administrative clearance procedures, and (ii) ensure that the number of persons granted access to classified information is limited to the minimum consistent with operational and security requirements and needs; and

(d) develop special contingency plans for the protection of classified information used in or near hostile or potentially hostile areas.

Sec. 5.4. *Sanctions.*

(a) If the Director of the Information Security Oversight Office finds that a violation of this Order or its implementing directives may have occurred, the Director shall make a report to the head of the agency or to the senior official designated under Section 5.3(a)(1) so that corrective steps, if appropriate, may be taken.

(b) Officers and employees of the United States Government, and its contractors, licensees, and grantees shall be subject to appropriate sanctions if they:

(1) knowingly, willfully, or negligently disclose to unauthorized persons information properly classified under this Order or predecessor orders;

(2) knowingly and willfully classify or continue the classification of information in violation of this Order or any implementing directive; or

(3) knowingly and willfully violate any other provision of this Order or implementing directive.

(c) Sanctions may include reprimand, suspension without pay, removal, termination of classification authority, loss or denial of access to classified information, or other sanctions in accordance with applicable law and agency regulation.

(d) Each agency head or the senior official designated under Section 5.3(a)(1) shall ensure that appropriate and prompt corrective action is taken whenever a violation under Section 5.4(b) occurs. Either shall ensure that the Director of the Information Security Oversight Office is promptly notified whenever a violation under Section 5.4(b) (1) or (2) occurs.

Part 6

General Provisions

Sec. 6.1 *Definitions.*

(a) "Agency" has the meaning provided at 5 U.S.C. 552(e).

(b) "Information" means any information or material, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States Government.

(c) "National security information" means information that has been determined pursuant to this Order or any predecessor order to require protection against unauthorized disclosure and that is so designated.

(d) "Foreign government information" means:

(1) information provided by a foreign government or governments, an international organization of governments, or any element thereof with the expectation, expressed or implied, that the information, the source of the information, or both, are to be held in confidence; or

(2) information produced by the United States pursuant to or as a result of a joint arrangement with a foreign government or governments or an international organization of governments, or any element thereof, requiring that the information, the arrangement, or both, are to be held in confidence.

(e) "National security" means the national defense or foreign relations of the United States.

(f) "Confidential source" means any individual or organization that has provided, or that may reasonably be expected to provide, information to the United States on matters pertaining to the national security with the expectation, expressed or implied, that the information or relationship, or both, be held in confidence.

(g) "Original classification" means an initial determination that information requires, in the interest of national security, protection against unauthorized disclosure, together with a classification designation signifying the level of protection required.

Sec. 6.2 *General.*

(a) Nothing in this Order shall supersede any requirement made by or under the Atomic Energy Act of 1954, as amended. "Restricted Data" and "Formerly Restricted Data" shall be handled, protected, classified, downgraded, and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and regulations issued under that Act.

(b) The Attorney General, upon request by the head of an agency or the Director of the Information Security Oversight Office, shall render an interpretation of this Order with respect to any question arising in the course of its administration.

(c) Nothing in this Order limits the protection afforded any information by other provisions of law.

(d) Executive Order No. 12065 of June 28, 1978, as amended, is revoked as of the effective date of this Order.

(e) This Order shall become effective on August 1, 1982.

SUGGESTED READINGS

Aronsson, Patricia. "Appraisal of Twentieth-Century Congressional Collections," *Archival Choices*. Edited by Nancy Peace. Lexington, MA: Lexington Books, 1984.

———. "Congressional Records as Archival Sources." *Government Publications Review* 8A (1981): 295-302.

Baker, Richard A. "Documenting the History of the United States Senate," *Government Publications Review* 10 (1983): 415-26.

———. "Managing Congressional Papers: A View of the Senate," *The American Archivist* 41 (July 1978): 291-96.

———. "The Records of Congress: Opportunities and Obstacles in the Senate," *The Public Historian* 4 (Summer 1980).

Bauer, G. Philip. *The Appraisal of Current and Recent Records*. Staff Information Circulars, no. 13. Reprint. Washington, DC: National Archives and Records Service, 1976.

Benedon, William. *Records Management*. Englewood Cliffs, NJ: Prentice Hall, 1969.

Blegen, August H. *Records Management Step-by-Step*. Stamford, CT: Office Publications, Inc., 1965.

Boles, Frank. "Sampling in Archives." *The American Archivist* 44 (Spring 1981): 125-130.

Brichford, Maynard J. *Archives and Manuscripts: Appraisal and Accessioning*. Chicago, IL: Society of American Archivists, 1977.

Byrd, Robert C. "The Records of the United States Senate," *Congressional Record*, December 4, 1980, pp. S15487-92 (daily edition).

Ham, F. Gerald, "Archival Choices: Managing the Historical Record in an Age of Abundance," *Archival Choices*. Edited by Nancy Peace. Lexington, MA: Lexington Books, 1984.

Hedstrom, Margaret L. *Archives & Manuscripts: Machine Readable Records*. Chicago, IL: Society of American Archivists, 1984.

Kepley, David R. "Sampling in Archives: A Review," *The American Archivist* 47 (Summer 1984): 237-242.

Library of Congress, Congressional Research Service. Carlisle, Judy. *A Functional Analysis of Congressional Member Office Operations*, Report No. 81-116 GOV (May 1981); Pauls, Frederick H. and Carlisle, Judy. *Casework in a Congressional Office*, Report No. 81-212 GOV (December 1982); Carlisle, Judy. *Congressional Staffing: A Selected Annotated Bibliography*, Report No. 81-5 GOV (July 1981); Newman, Rhoda. *Grants Work in a Congressional Office*, Report No. 82-22C (January 1982); Siddall, David R. *How to Prepare a Legislative History*, Report No. 78-48A (May 1978); Schneider, Judy. *An Introductory Guide to the Standing Committee System*, Report No. 83-165 GOV (August 1983); Rundquist, Paul. *Congress: A Selected Annotated Bibliography*, Report No. 82-33 GOV (March 1982); and Pontius, John. *Closing a Senate Office* (being revised). These reports are prepared for members of Congress and their staffs. Periodically, new titles are added and older reports are revised. They may be requested by the repository through the member's office.

Maedke, Wilmer O.; Robek, Mary F.; and Brown, Gerald F. *Information and Records Management*. Beverly Hills, CA: Glencoe Press, 1974.

National Archives, Office of Federal Records Centers. Records Management Handbooks: *Disposition of Federal Records*, 1981; *Federal Archives and Records Centers*, 1979; *File Stations*, 1980; *File Operations*, 1981; and *Subject Filing*, 1981.

National Study Commission on Records and Documents of Federal Officials. *Final Report*. Washington, DC: Government Printing Office, 1977.

Nelson, Anna Kasten, ed. *The Records of Federal Officials: A Selection of Materials From the National Study Commission on Records and Documents of Federal Officials*. New York: Garland Press, 1978.

Peterson, Trudy Huskamp. "The Gift and the Deed," *The American Archivist* 42 (January 1979): 61-66.

Powers, Thomas E. "Processing as Reconstruction: The Philip A. Hart Senatorial Collection," *The American Archivist* 46 (Spring 1983): 183–85.

Rendell, Kenneth W. "Tax Appraisals of Manuscript Collections," *The American Archivist* 46 (Summer 1983): 306–16.

U.S. Senate, Historical Office. *The United States Senate: A Historical Bibliography*. Washington, DC: Government Printing Office, 1977, available without cost from the Senate Historical Office.

———. Conference on the Research Use and Disposition of Senators' Papers, *Proceedings*. Washington, DC: Government Printing Office, 1978, available without cost from the Senate Historical Office.

———. *Guide to Research Collections of Former United States Senators, 1789–1982*. Edited by Kathryn Allamong Jacob. Washington, DC: Government Printing Office, 1983, available without cost from the Senate Historical Office.

———. *Senate History*, semi-annual newsletter available without cost from the Senate Historical Office. Contains articles about recent transfers of senatorial collections to repositories and Senate records at the National Archives.

U.S. Senate, Offices of Secretary, Sergeant at Arms, and Committee on Rules and Administration. *Congressional Handbook*. Washington, DC: Government Printing Office, 1984.